

BY-LAW NO.

**A By-law to amend
Zoning and Development By-law No. 3575
Regarding Residential Rental Tenure in C-2 Districts**

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

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.

2. In section 2, Council adds the following new definition in the correct alphabetical order:

“Residential Rental Tenure Any of the following:

- (a) a tenancy governed by a tenancy agreement as defined in the Residential Tenancy Act or, in the event that the Act is repealed and not replaced, that contains the standard terms set out in the Residential Tenancy Regulation B.C. Reg. 477/2003;
- (b) a tenancy in which the landlord is the City of Vancouver, the Metro Vancouver Housing Corporation, the City of Vancouver Public Housing Corporation; the B.C. Housing Management Commission, a non-profit society or association incorporated under the Societies Act whose objects include the provision of affordable rental housing, or a partnership between any two or more such entities; or
- (c) an occupancy between a member and a non-profit housing co-operative incorporated under the Cooperative Association Act whose objects include the provision of affordable rental housing.”.

3. In section 1 of the C-2, C-2B, C-2C, and C-2C1 District Schedules, Council adds the following new paragraph after the first paragraph:

“In addition, this Schedule encourages mixed use development containing secure rental housing to increase the city’s supply of rental housing. In select areas, this Schedule includes unique provisions for residential rental tenure buildings, specifically for height, density, and rear yard requirements. For these mixed use residential rental tenure buildings, some flexibility in the allocation of floor space is provided and allows for either residential or non-residential use on the second storey of the building.”.

4. In section 1 of the C-2 District Schedule, Council strikes out “furthers” and substitutes “promotes”.

5. In subsection 2.2.A(f) of the C-2, C-2B, C-2C, and C-2C1 District Schedules, Council adds “section 4.10 of” after “prescribed in”.

6. In section 4 of the C-2, C-2B, C-2C, and C-2C1 District Schedules, Council adds the following new paragraph after the first paragraph:

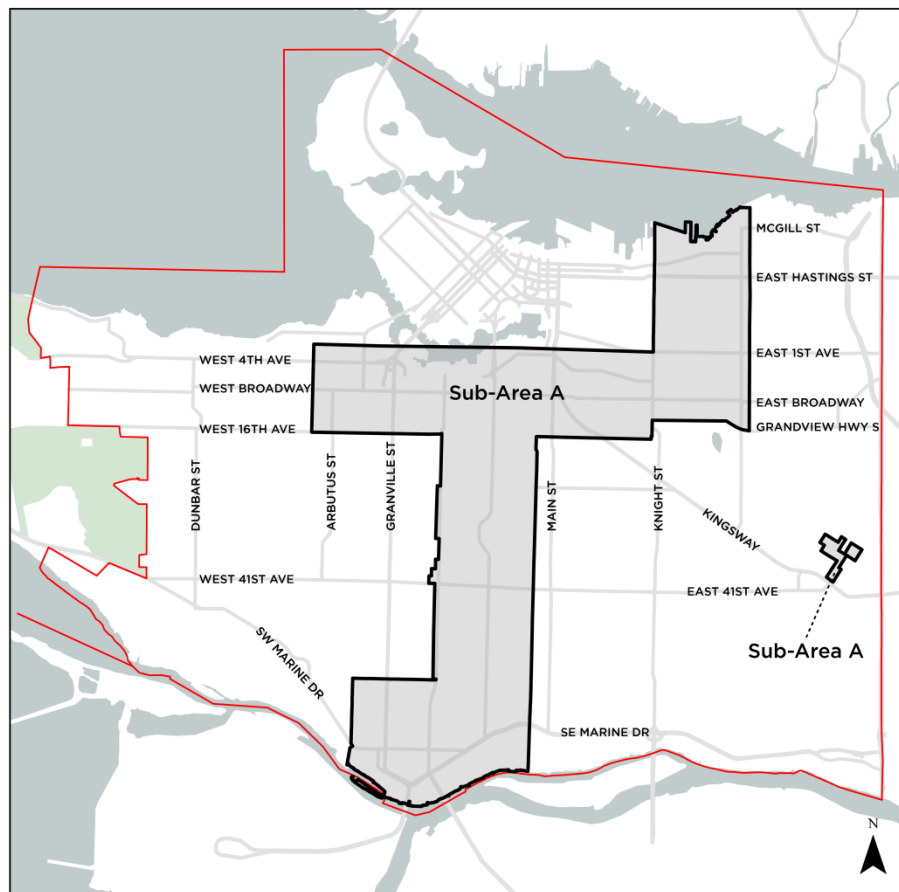
“For the purposes of this Schedule, “Residential Rental Tenure Building” means a building:

- (a) that is located outside of sub-area A, as illustrated in Figure 1, and as further illustrated in the maps in section 6 of this Schedule;
- (b) that contains three or more non-stratified dwelling units;
- (c) where all of the dwelling units are occupied as residential rental tenure;
- (d) where at least 35% of the total dwelling units are two or more bedroom units;
- (e) where the third storey and above, measured from the front property line, is limited to residential use only; and
- (f) that is designed to achieve either of the following energy efficiency requirements:
 - (i) certification under the Passive House standard set by Passive House International (PHI), or the Zero Energy standard set by the International Living Future Institute (ILFI), or
 - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses, except for Seniors Supportive or Assisted Housing:

Low Carbon Energy System (LCES) connection, as per the LCES Policy	Total Energy Use Intensity (TEUI): kWh/m ²	Thermal Energy Demand Intensity (TEDI): kWh/m ²	Greenhouse Gas Intensity (GHGI): kgCO ₂ e/m ²
No	100	15	3
Yes	110	25	3

The Director of Planning may vary the requirements under (f)(ii), provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

Figure 1. Sub-Area A



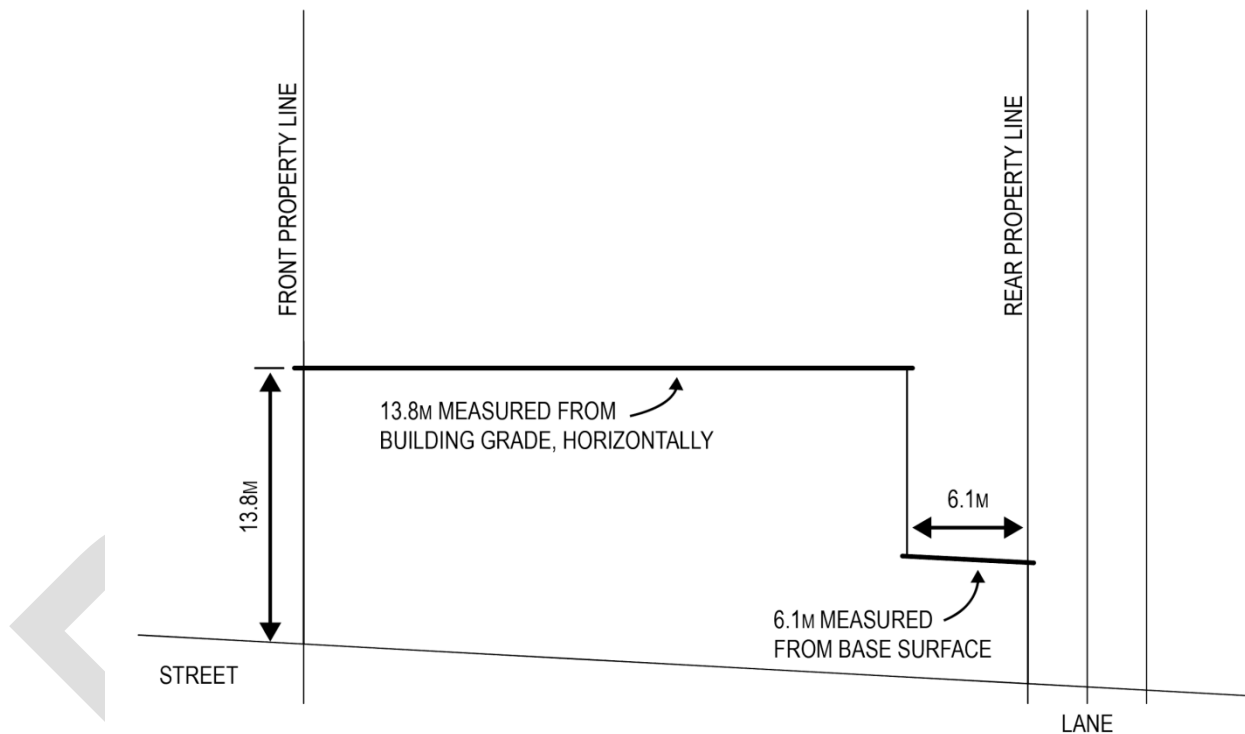
7. In section 4.2 of the C-2 District Schedule, Council:

- (a) in section 4.2.1, strikes out “Figure 1” and substitutes “Figure 2”; and
- (b) re-labels Figure 1 as Figure 2.

8. In section 4.3 of the C-2 District Schedule, Council strikes out sections 4.3.1 and 4.3.2 and substitutes the following:

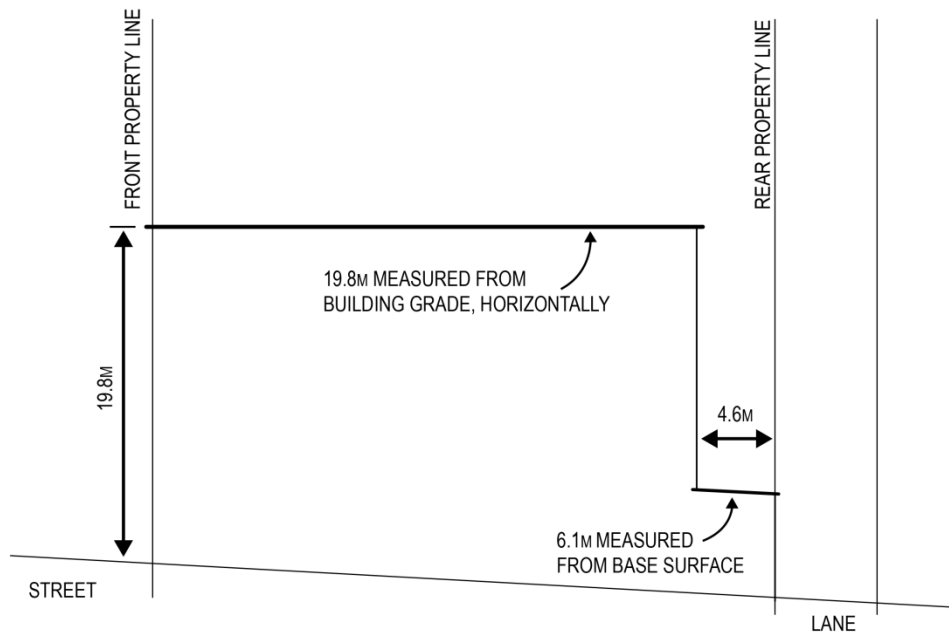
- “4.3.1 The height of a building shall not exceed 13.8 m measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line, except that for 6.1 m measured from the ultimate rear property line, the height of a building shall not exceed 6.1 m measured from base surface, as illustrated in Figure 3.
- 4.3.2 Despite section 4.3.1, if a minimum floor-to-floor height of 5.2 m is provided for non-residential uses located at the first storey facing the street, the height of a building shall not exceed 15.3 m, except that for 6.1 m measured from the ultimate rear property line, the height of a building shall not exceed 6.1 m measured from base surface, as illustrated in Figure 3.

Figure 3. Height



- 4.3.3 Despite sections 4.3.1 and 4.3.2, if a building is a residential rental tenure building, then the height shall not exceed 19.8 m measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line, as illustrated in Figure 4, provided that:
- (a) for 4.6 m measured from the ultimate rear property line, the height of a building, measured from base surface, shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(c); and
 - (b) the building does not exceed 6 storeys.

Figure 4. Height for Residential Rental Tenure Buildings



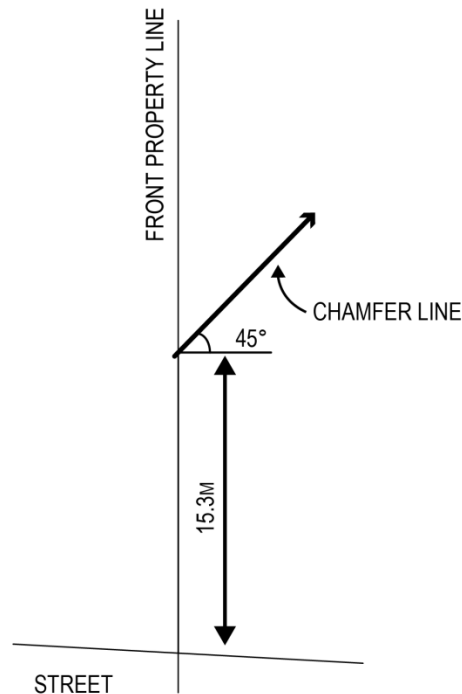
4.3.4 Despite section 4.3.3, if a minimum floor-to-floor height of 5.2 m is provided for non-residential uses located at the first storey facing the street in a residential rental tenure building, the height of a building shall not exceed 22.0 m, provided that:

- (a) for 4.6 m measured from the ultimate rear property line, the height of a building, measured from base surface, shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(c); and
- (b) the building does not exceed 6 storeys.

4.3.5 Despite sections 4.3.3 and 4.3.4, no portion of a residential rental tenure building shall extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 45 degrees measured from the horizontal, as illustrated and described in Figure 5, except in cases where:

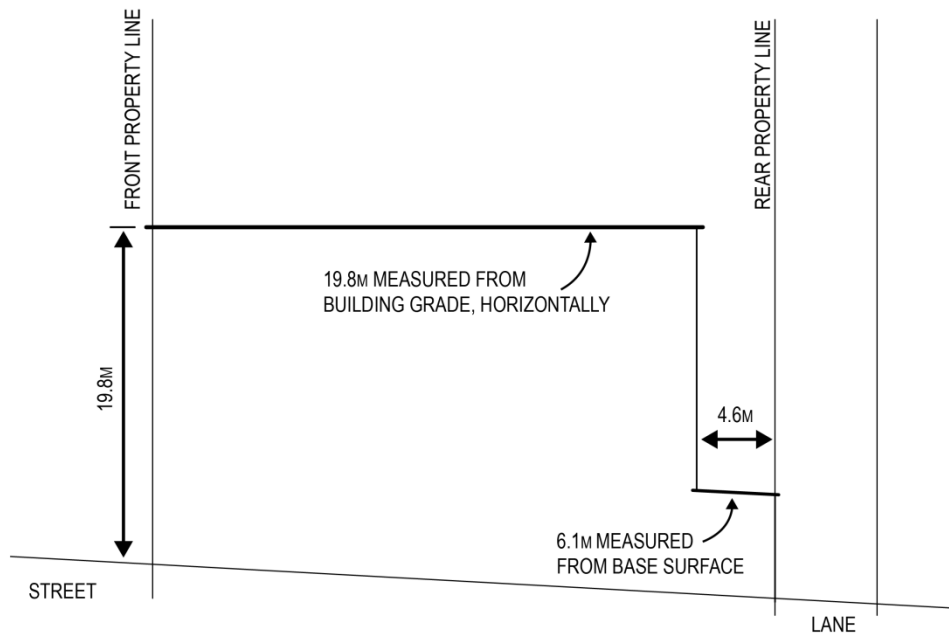
- (a) the site frontage faces a street:
 - (i) with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and
 - (ii) generally running north south; or
- (b) the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

Figure 5.



- 4.3.6 Despite sections 4.3.1, 4.3.2, 4.3.3, 4.3.4, and 4.3.5, the Director of Planning or Development Permit Board, as the case may be, may permit an increase in the maximum height provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.
9. In section 4.3.2 of the C-2C and the C-2C1 District Schedules, Council strikes out “13.8 m” and substitutes “15.3 m”.
10. In section 4.3 of the C-2B, C-2C, and C-2C1 District Schedules, Council adds the following new sections:
- “4.3.3 Despite sections 4.3.1 and 4.3.2, if a building is a residential rental tenure building, then the height shall not exceed 19.8 m measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line, as illustrated in Figure 2, provided that:
- (a) for 4.6 m measured from the ultimate rear property line, the height of a building, measured from base surface, shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(c); and
 - (b) the building does not exceed 6 storeys.

Figure 2. Height for Residential Rental Tenure Buildings



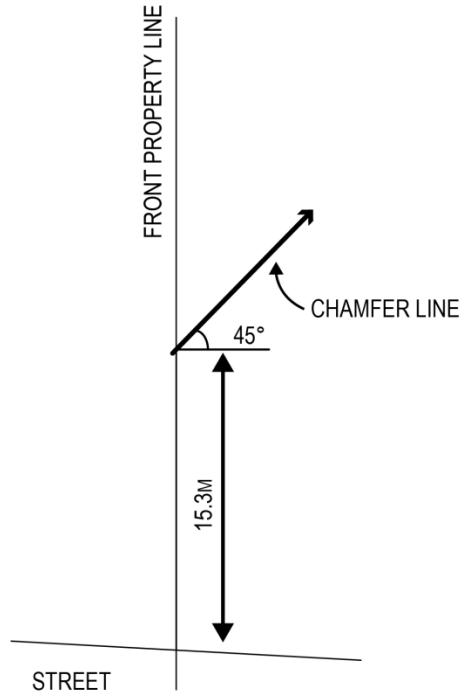
4.3.4 Despite section 4.3.3, if a minimum floor-to-floor height of 5.2 m is provided for non-residential uses located at the first storey facing the street in a residential rental tenure building, the height of a building shall not exceed 22.0 m, provided that:

- (a) for 4.6 m measured from the ultimate rear property line, the height of a building, measured from base surface, shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(c); and
- (b) the building does not exceed 6 storeys.

4.3.5 Despite sections 4.3.3 and 4.3.4, no portion of a residential rental tenure building shall extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 45 degrees measured from the horizontal, as illustrated and described in Figure 3, except in cases where:

- (a) the site frontage faces a street:
 - (i) with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and
 - (ii) generally running north south; or
- (b) the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

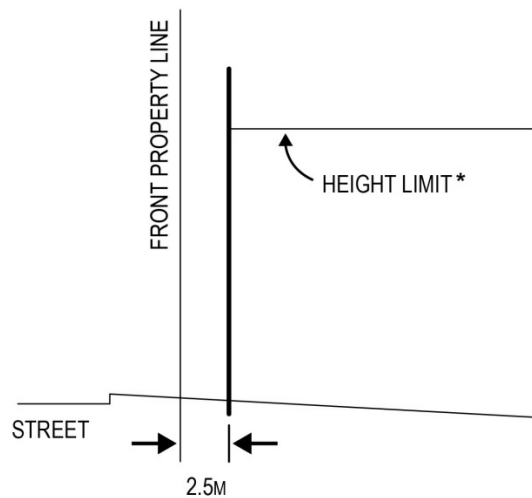
Figure 3.



11. In section 4.3 of the C-2C and C-2C1 District Schedules, Council adds the following new section:
- “4.3.6 Despite sections 4.3.3, 4.3.4, and 4.3.5, the Director of Planning or Development Permit Board, as the case may be, may permit an increase in the maximum height provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.
12. In section 4.4 of the C-2 District Schedule, Council:
- (a) strikes out section 4.4.1 and substitutes the following:

“4.4.1. The front yard and front setback shall have a minimum depth of 2.5 m measured from the ultimate front property line, as illustrated in Figure 6, except that for buildings located in Sub-Area B shown on the map in Figure 7, the front yard and front setback shall have a minimum depth of 4.6 m.”;
 - (b) strikes out Figure 3 and substitutes the following new figure:

“Figure 6. Front Yard and Setback

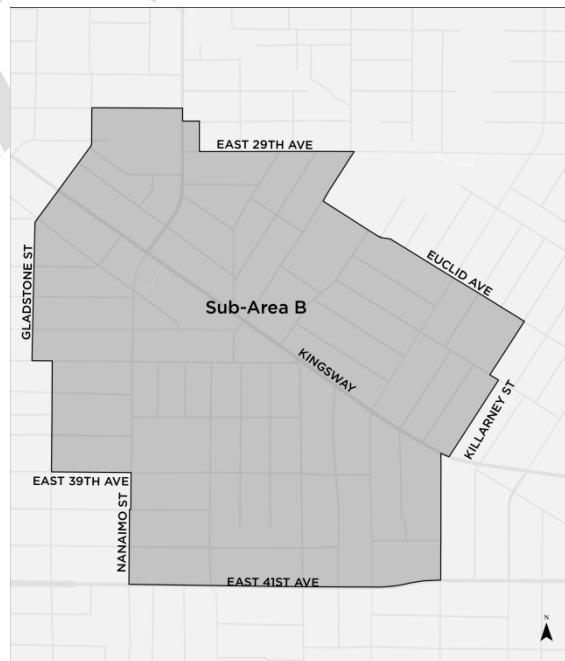


* HEIGHT LIMIT SUBJECT TO SECTION 4.3

”; and

- (c) inserts a new figure as Figure 7 immediately after the renumbered Figure 6, as follows:

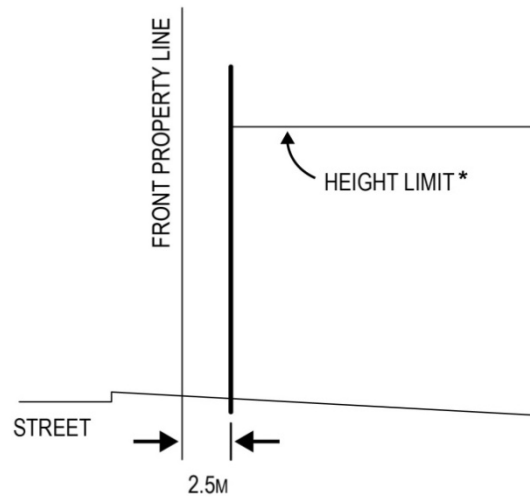
“Figure 7. Sub-Area B



13. In section 4.4 of the C-2B District Schedule, Council strikes out sections 4.4.1 and 4.4.2 and substitutes the following:

“4.4.1 A front yard must have a minimum depth of 2.5 m measured from the ultimate front property line, as illustrated in Figure 4.

Figure 4. Front Yard and Setback

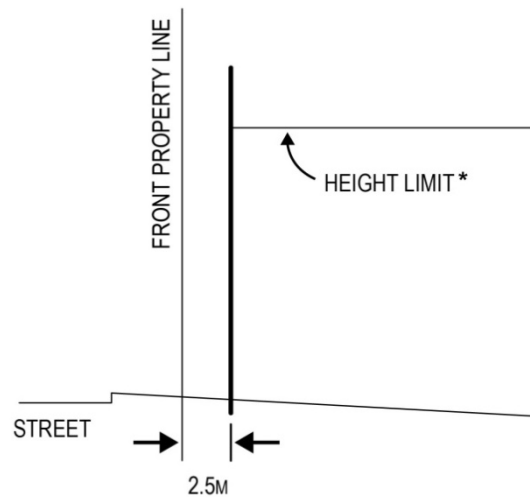


* HEIGHT LIMIT SUBJECT TO SECTION 4.3

14. In section 4.4 of the C-2C and C-2C1 District Schedules, Council strikes out sections 4.4.1, 4.4.2, and 4.4.3 and substitutes the following:

“4.4.1 A front yard must have a minimum depth of 2.5 m measured from the ultimate front property line, as illustrated in Figure 4.

Figure 4. Front Yard and Setback

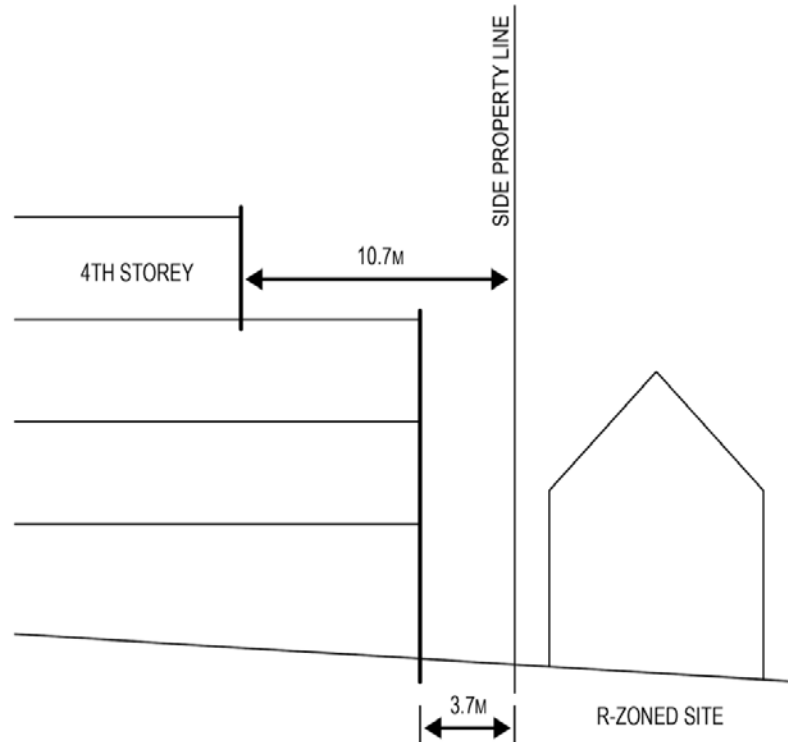


* HEIGHT LIMIT SUBJECT TO SECTION 4.3

4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced front yard or front setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

15. In section 4.5.1 of the C-2 District Schedule, Council:
- (a) strikes out “Figure 4” and substitutes “Figure 8”; and
 - (b) strikes out Figure 4 and substitutes the following new figure:

“Figure 8. Side Yard and Setback Adjacent



16. In section 4.5 of the C-2B District Schedule, Council adds a new section 4.5.4 as follows:

“4.5.4 On a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.”.

17. In section 4.5 of the C-2C and C-2C1 District Schedules, Council adds the following new sections:

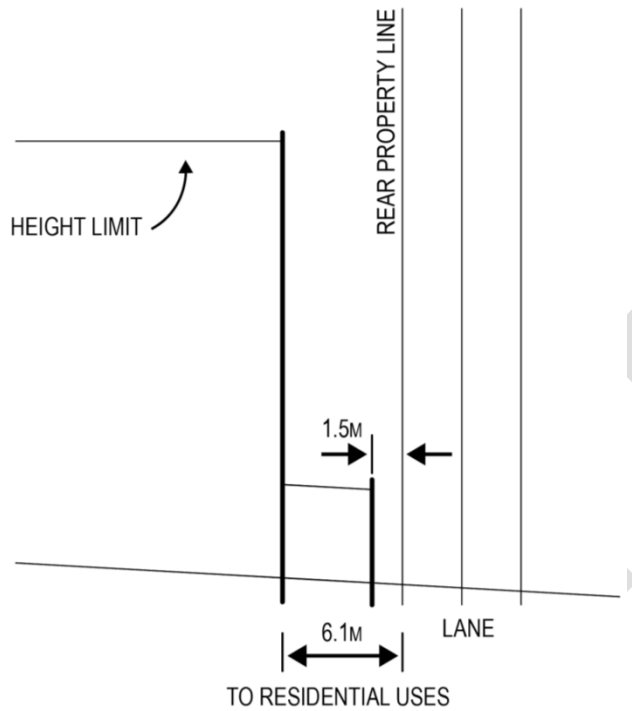
“4.5.4 On a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.

4.5.5 Despite sections 4.5.1, 4.5.2, 4.5.3, and 4.5.3, the Director of Planning may permit reduced side yards or side setbacks provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

18. In section 4.6 of the C-2 District Schedule, Council:

- (a) in section 4.6.1, strikes out “Figure 5” and substitutes “Figure 9”;
- (b) in subsection 4.6.1(a), strikes out “0.6 m” and substitutes “1.5 m”; and
- (c) strikes out Figure 5 and substitutes the following new figure, inserting it below section 4.6.1:

“Figure 9. Rear Yard Setback



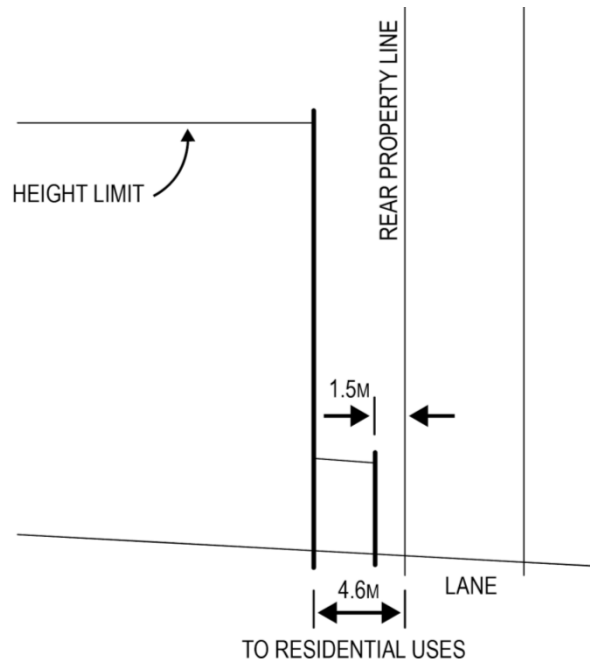
19. In section 4.6 of the C-2 District Schedule, Council strikes out section 4.6.2 and substitutes the following:

“4.6.2. Despite section 4.6.1, if a building is a residential rental tenure building, then a rear yard or rear setback, measured from the ultimate rear property line, shall be as follows, and as illustrated in Figure 10:

- (a) for portions of a building under 6.1 m in height as measured from the base surface, the minimum depth of the rear yard shall be 1.5 m;
- (b) for portions of a building:
 - (i) containing dwelling uses, or
 - (ii) above 6.1 m in height as measured from the base surface,

the minimum depth of the rear setback shall be 4.6 m, except that roof decks and balconies may intrude into the setback;

Figure 10. Rear Yard Setback for Residential Rental Tenure Buildings



- (c) despite subsection (b), in the case of a corner site, the rear setback for portions of the building containing dwelling uses may be reduced to a minimum depth of 1.5 m, provided that:
 - (i) the portion of a building for which the rear yard is reduced is located a minimum distance of 22.8 m from an adjoining site, and
 - (ii) the portion of the building for which the rear yard is reduced does not exceed 25.3 m in width, measured from the ultimate exterior side property line; and
- (d) despite subsections (a), (b), and (c), if the rear of the site adjoins, without the intervention of a lane, the side yard of a site located in an R District:
 - (i) for portions of a building not containing dwelling uses, the minimum depth of the rear yard shall be 3.1 m, and
 - (ii) for portions of a building containing dwelling uses, the minimum depth of the rear setback behind those portions of the building shall be 4.6 m, except that roof decks may intrude into the setback.

4.6.3 Despite sections 4.6.1 and 4.6.2, the Director of Planning may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

20. In section 4.6 of the C-2B, C-2C, and C-2C1 District Schedules, Council strikes out sections 4.6.1 and 4.6.2 and substitutes the following:

- “4.6.1 The rear yard and rear setback, measured from the ultimate rear property line, shall be as follows:
- (a) for portions of a building not containing dwelling uses, the minimum depth of the rear yard shall be 1.5 m;

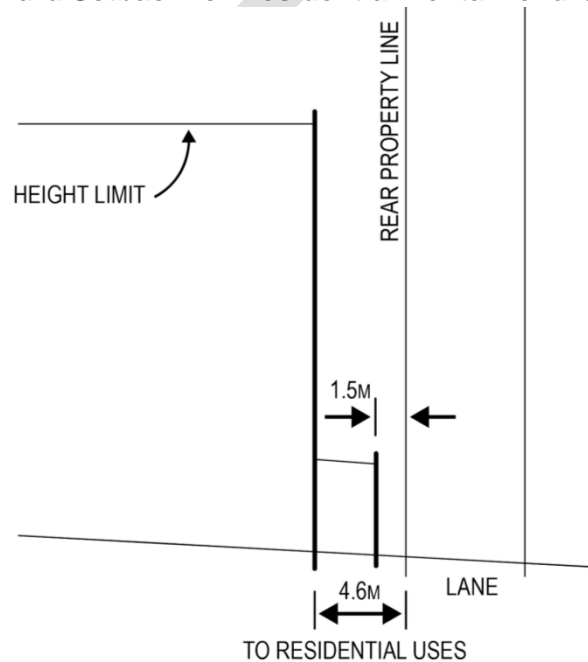
- (b) for portions of a building containing dwelling uses, the minimum depth of the rear setback shall be 4.6 m, except that roof decks may intrude into the setback.

4.6.2. Despite section 4.6.1, if a building is a residential rental tenure building, then a rear yard or rear setback, measured from the ultimate rear property line, shall be as follows, and as illustrated in Figure 5:

- (a) for portions of a building under 6.1 m in height as measured from the base surface, the minimum depth of the rear yard shall be 1.5 m;
- (b) for portions of a building:
 - (i) containing dwelling uses, or
 - (ii) above 6.1 m in height as measured from the base surface,

the minimum depth of the rear setback shall be 4.6 m, except that roof decks and balconies may intrude into the setback;

Figure 5. Rear Yard Setback for Residential Rental Tenure Buildings



- (c) despite subsection (b), in the case of a corner site, the rear setback for portions of the building containing dwelling uses may be reduced to a minimum depth of 1.5 m, provided that:
 - (i) the portion of a building for which the rear yard is reduced is located a minimum distance of 22.8 m from an adjoining site, and
 - (ii) the portion of the building for which the rear yard is reduced does not exceed 25.3 m in width, measured from the ultimate exterior side property line; and
- (d) despite subsections (a), (b), and (c), if the rear of the site adjoins, without the intervention of a lane, the side yard of a site located in an R District:
 - (i) for portions of a building not containing dwelling uses, the minimum depth of the rear yard shall be 3.1 m, and

- (ii) for portions of a building containing dwelling uses, the minimum depth of the rear setback behind those portions of the building shall be 4.6 m, except that roof decks may intrude into the setback.”.
- 21. In section 4.6 of the C-2C and C-2C1 District Schedules, Council adds the following new section:

“4.6.3 Despite sections 4.6.1 and 4.6.2, the Director of Planning may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.
- 22. In section 4.7 of the C-2 District Schedule, Council:
 - (a) strikes out sections 4.7.1 and 4.7.2 and substitutes the following:

“4.7.1. The floor space ratio shall not exceed 0.75, except that the Director of Planning may permit an increase in floor space ratio as follows, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:

 - (a) for all uses combined, up to 2.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
 - (b) for multiple dwellings, up to 2.15; and
 - (c) for the purposes of subsections (a) and (b), an artist studio shall be deemed to be a dwelling use.

4.7.2. Despite section 4.7.1, if a building is a residential rental tenure building, then the floor space ratio is as follows:

 - (a) for all uses combined, up to 3.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
 - (b) despite subsection (a), up to 3.7 for all uses combined, provided that:
 - (i) the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35,
 - (ii) the site is a corner site,
 - (iii) the length of the front property line facing the street measures a minimum of 45.7 m, and
 - (iv) the site has a minimum site area of 1,672 m²; and
 - (c) despite subsections (a) and (b), the Director of Planning may permit an increase in floor area of up to 0.05 FSR for exterior circulation located above the first storey.

4.7.3. All floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building, shall be included in the computation of floor space ratio.”;

- (b) renumbers sections 4.7.3 and 4.7.4 as sections 4.7.4 and 4.7.5 respectively; and
- (c) in renumbered 4.7.5, strikes out “The Director of Planning may permit” and substitutes “If a building is not a residential rental tenure building, the Director of Planning may permit”.

23. In section 4.7 of the C-2B District Schedule, Council:

- (a) strikes out section 4.7.2 and substitutes the following:

“4.7.2. Despite section 4.7.1, if a building is a residential rental tenure building, then the floor space ratio is as follows:

- (a) for all uses combined, up to 3.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
- (b) despite subsection (a), up to 3.7 for all uses combined, provided that:
 - (i) the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35,
 - (ii) the site is a corner site,
 - (iii) the length of the front property line facing the street measures a minimum of 45.7 m, and
 - (iv) the site has a minimum site area of 1,672 m²; and
- (c) despite subsections (a) and (b), the Director of Planning may permit an increase in floor area of up to 0.05 FSR for exterior circulation located above the first storey.

4.7.3. All floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building, shall be included in the computation of floor space ratio.”;

- (b) renumbers sections 4.7.3 and 4.7.4 as sections 4.7.4 and 4.7.5 respectively; and
- (c) in renumbered 4.7.5, strikes out “The Director of Planning may permit” and substitutes “If a building is not a residential rental tenure building, the Director of Planning may permit”.

24. In section 4.7 of the C-2C and C-2C1 District Schedules, Council:

- (a) strikes out sections 4.7.1 and 4.7.2 and substitutes the following:

“4.7.1. The floor space ratio shall not exceed 1.20 in the case of office uses, 1.50 in the case of a site used for purely residential uses, and 3.00 in all other cases, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35, and for the purposes of the computation of floor space ratio in this section, an artist studio shall be deemed to be a dwelling use.

4.7.2. Despite section 4.7.1, if a building is a residential rental tenure building, then the floor space ratio is as follows:

- (a) for all uses combined, up to 3.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
- (b) despite subsection (a), up to 3.7 for all uses combined, provided that:
 - (i) the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35,
 - (ii) the site is a corner site,
 - (iii) the length of the front property line facing the street measures a minimum of 45.7 m, and
 - (iv) the site has a minimum site area of 1,672 m²; and
- (c) despite subsections (a) and (b), the Director of Planning may permit an increase in floor area of up to 0.05 FSR for exterior circulation located above the first storey.

4.7.3. All floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building, shall be included in the computation of floor space ratio.”;

- (b) rennumbers sections 4.7.3 and 4.7.4 as sections 4.7.4 and 4.7.5 respectively; and
- (c) in renumbered 4.7.5, strikes out “The Director of Planning may permit” and substitutes “If a building is not a residential rental tenure building, the Director of Planning may permit.”.

25. In section 4.14 of the C-2 District Schedule, Council:

- (a) strikes out the title “**Dedication of Land for Sidewalk and Boulevard Purposes**” and substitutes “**Dedication of Land and Statutory Right of Way for Sidewalk and Boulevard Purposes**”; and
- (b) adds the following new sections in the correct numerical order:

“4.14.3 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.

4.14.4 Despite section 4.14.3, the Director of Planning or Development Permit Board, as the case may be, may permit a reduced surface statutory right of way, provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

26. In section 4 of the C-2B District Schedule, Council adds a new sections 4.11 as follows:

“4.11 Statutory Right of Way for Sidewalk and Boulevard Purposes

- 4.11.1 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.
- 4.11.2 Despite section 4.11.1, the Director of Planning or Development Permit Board, as the case may be, may permit a reduced surface statutory right of way, provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

27. In section 4 of the C-2C and C-2C1 District Schedules, Council adds a new section 4.12 as follows:

“4.12 Statutory Right of Way for Sidewalk and Boulevard Purposes

- 4.12.1 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.
- 4.12.2 Despite section 4.12.1, the Director of Planning or Development Permit Board, as the case may be, may permit a reduced surface statutory right of way, provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

28. In the C-2 District Schedule, Council adds a new section 6 as follows:

“6. Sub-Area A Maps

Sub-area A, as described in section 4 and Figure 1 of this Schedule, is further illustrated by Figures 11, 12, 13, 14, and 15.

Figure 11

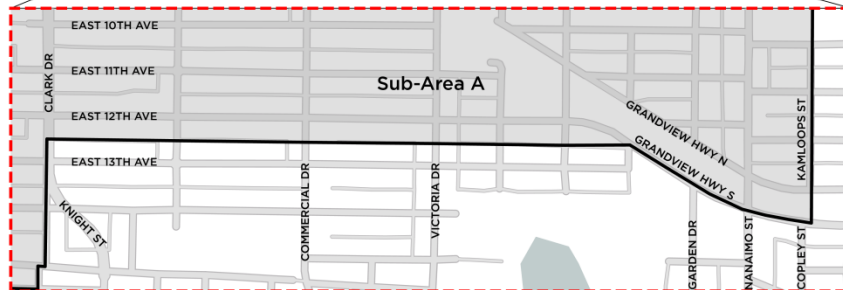
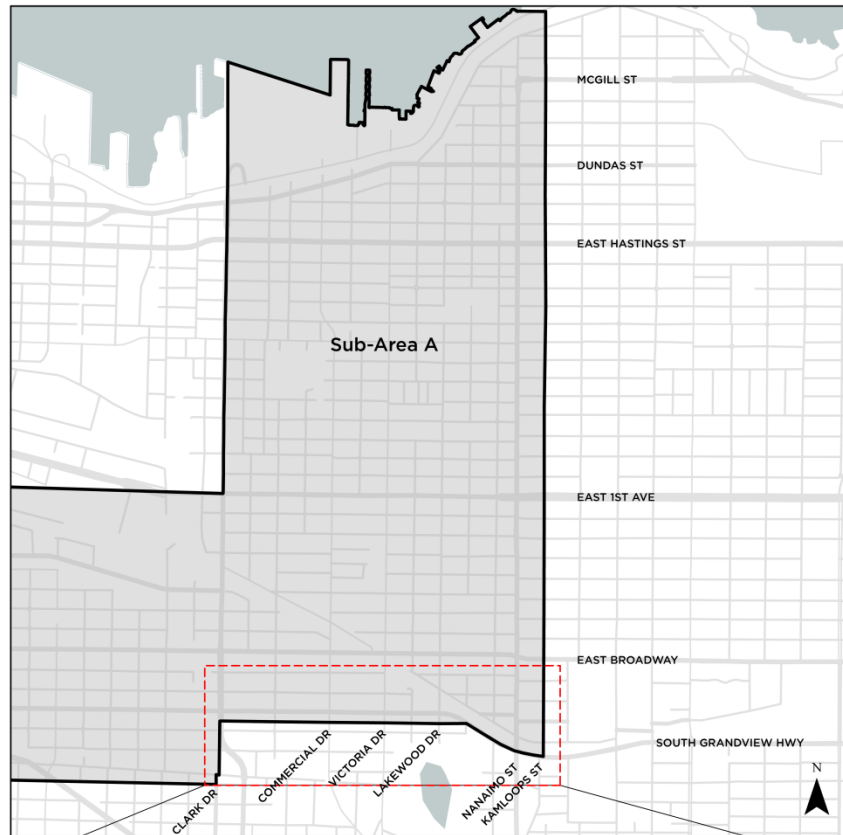


Figure 12

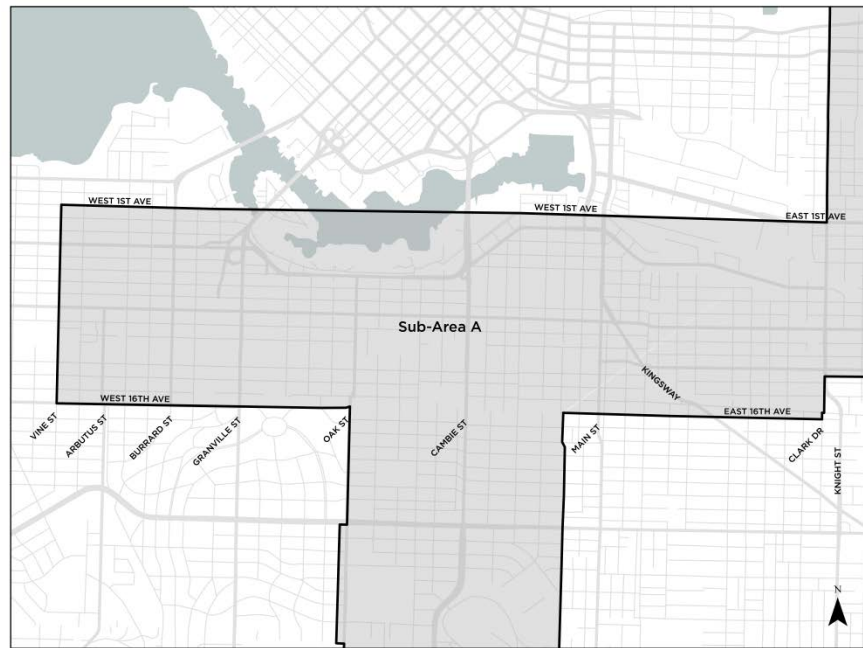


Figure 13



Figure 14

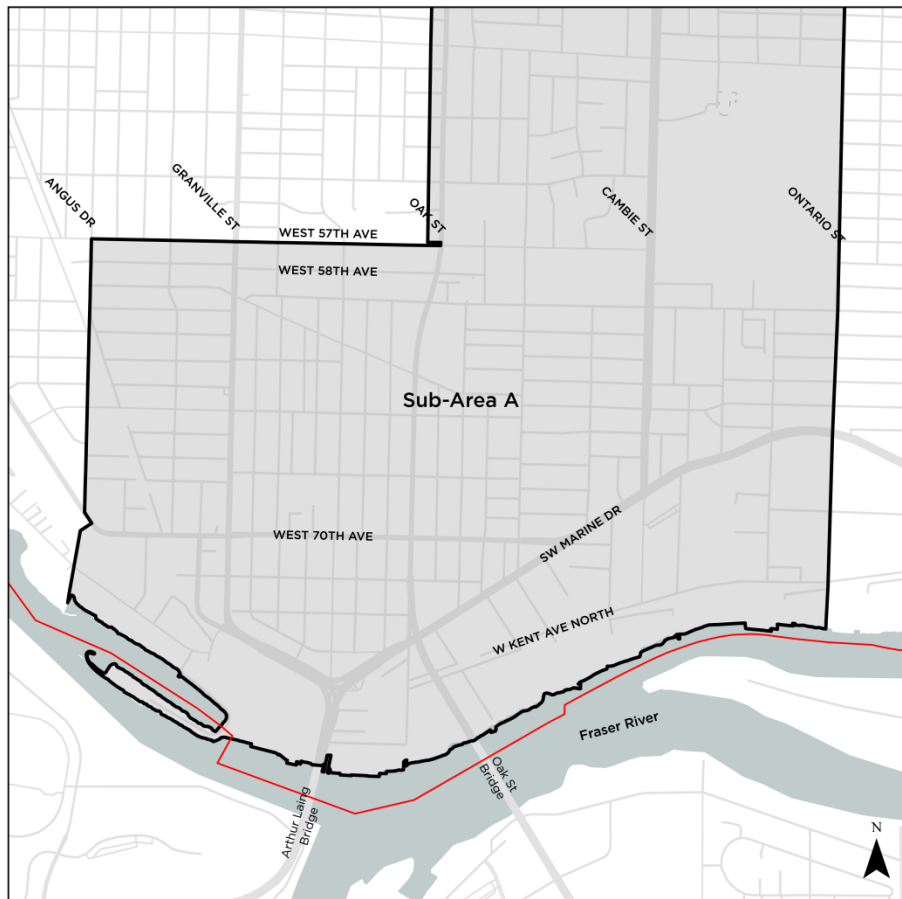
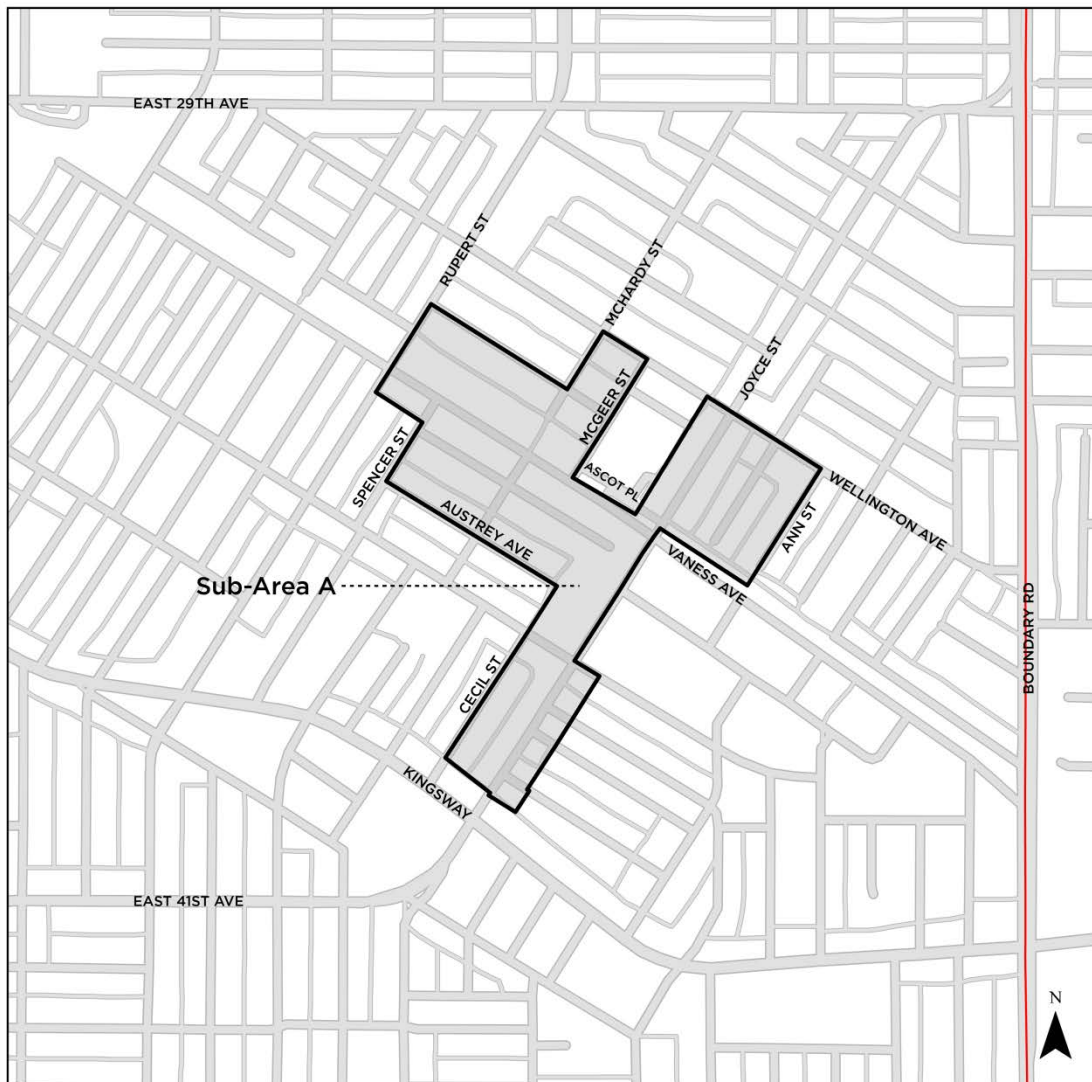


Figure 15



29. In the C-2B, C-2C, and C-2C1 District Schedules, Council adds a new section 6 as follows:

“6. Sub-Area A Maps

Sub-area A, as described in section 4 and Figure 1 of this Schedule, is further illustrated by Figures 6, 7, 8, 9, and 10.

Figure 6

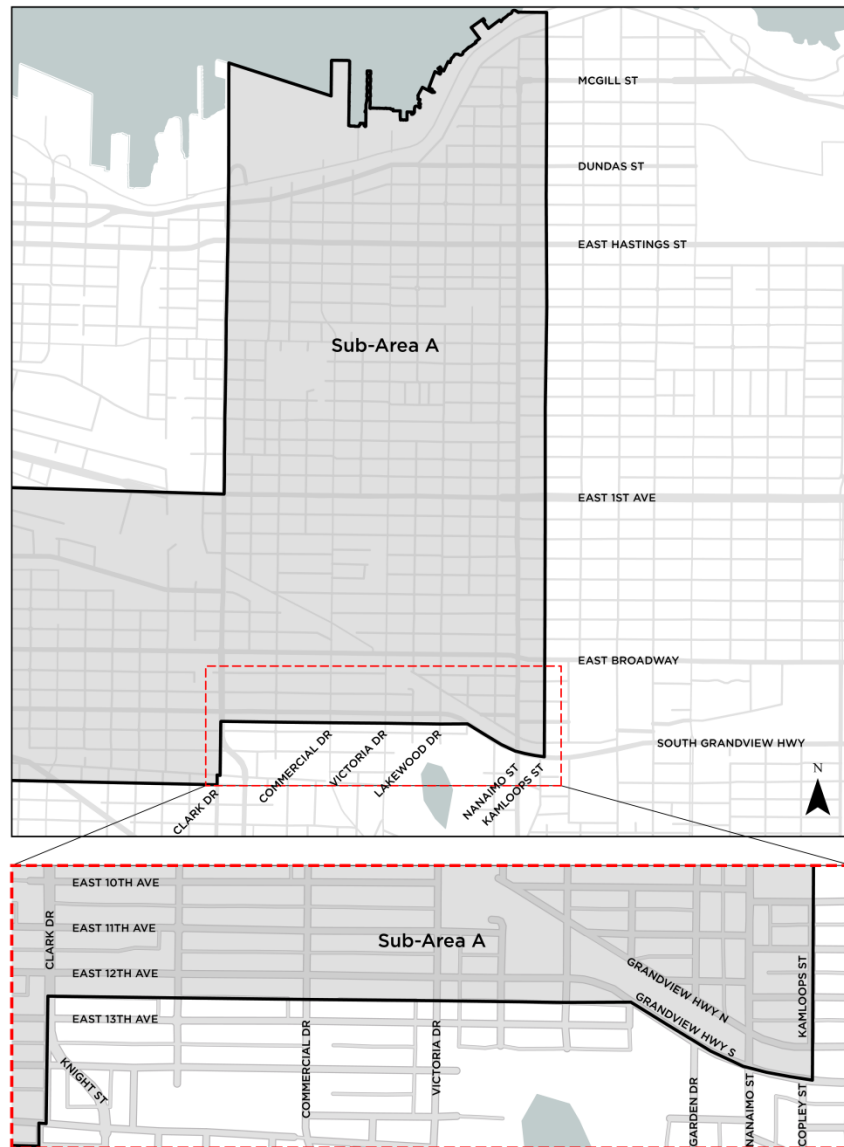


Figure 7

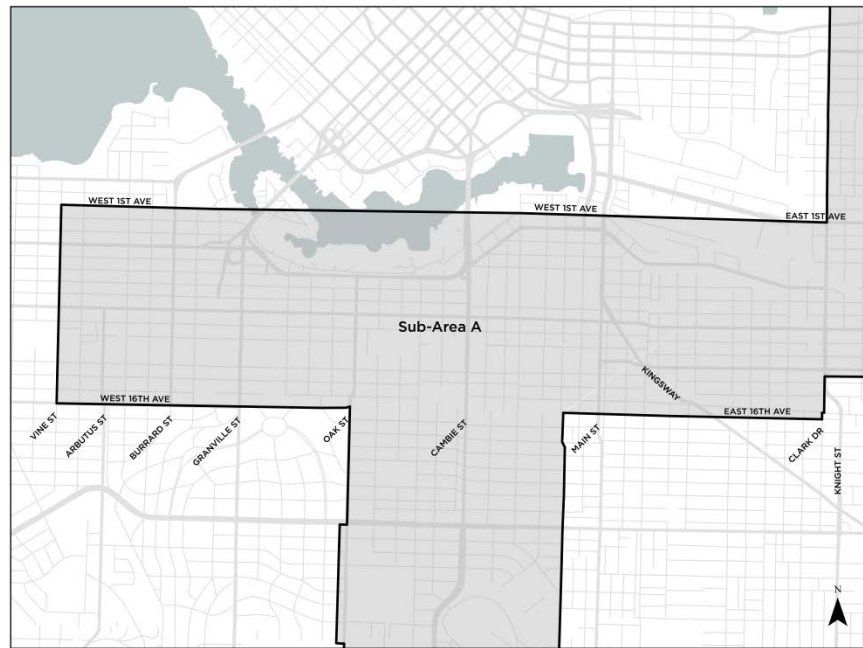


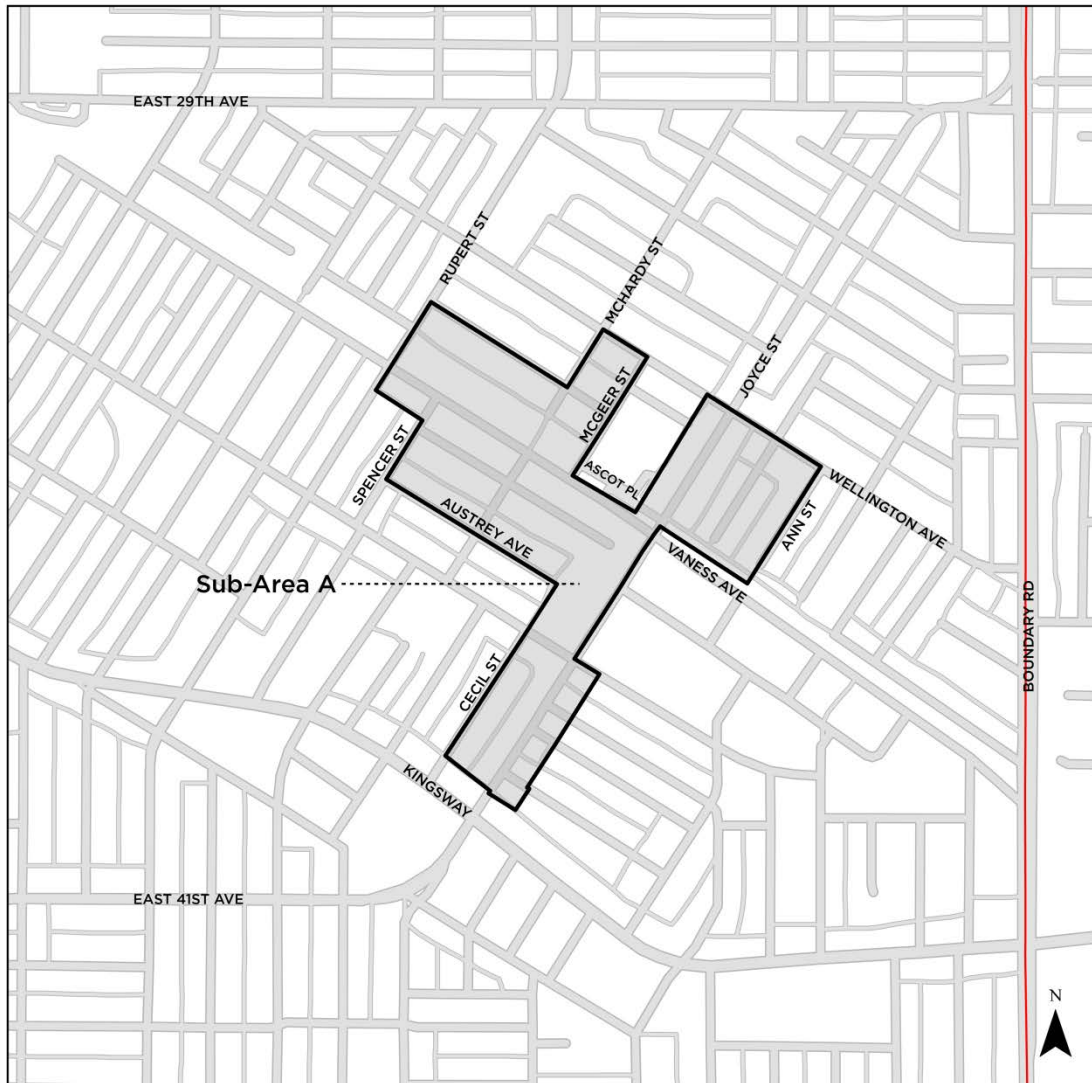
Figure 8



Figure 9



Figure 10



Severability

30. 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.

Force and effect

31. This By-law is to come into force and take effect on September 30, 2020, except that it does not come into force or take effect and the C-2 District Schedule existing on [one day prior to date of enactment] remains in force with regard to any development permit applications accepted prior to [date of enactment].

ENACTED by Council this day of , 2020

Mayor

City Clerk