



REFERRAL REPORT

Report Date: September 10, 2024
Contact: Dan Garrison
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VanRIMS No.: 08-2000-20
Meeting Date: September 24, 2024
[Submit comments to Council](#)

TO: Vancouver City Council
FROM: General Manager of Planning, Urban Design and Sustainability
SUBJECT: Seniors Housing Strategy - Related Amendments to By-laws and Land-use Documents

RECOMMENDATION TO REFER

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the amendments as described below, and that the application be referred to Public Hearing together with the recommendations set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law to update definitions to clarify types of seniors housing and care, generally as presented in Appendix A;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law generally in accordance with Appendix A.

- B. THAT subject to Council's approval of Recommendation A, Council also approve, in principle, related amendments to the Downtown-Eastside/Oppenheimer Official Development Plan By-law, Parking By-law and Sign By-law, to align definitions with the Zoning and Development By-law, generally as presented in Appendix B.
- C. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council proposed consequential amendments to

various land use documents to align definitions with the Zoning and Development By-law, generally as presented in Appendix C.

PURPOSE AND EXECUTIVE SUMMARY

This report recommends amendments to the Zoning and Development By-law and various other by-laws and land use documents to improve clarity of seniors housing and care uses referred to in the recently approved Seniors Housing Strategy and Seniors Housing Rezoning Policy on July 23, 2024.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- Seniors Housing Strategy (2024)
- Seniors Housing Rezoning Policy (2024)
- Resident Relocation Policy for Community Care and Assisted Living Residences (2024)
- Vancouver Plan (2022)
- Housing Vancouver Financial Delivery Strategy (2018)
- Housing Vancouver Strategy (2017)
- The Age-Friendly Action Plan (2013)

CITY MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

CONTEXT AND BACKGROUND

The City's first Seniors Housing Strategy was approved by Council on July 23, 2024, along with the Seniors Housing Rezoning Policy, Resident Relocation Policy for Community Care and Assisted Living, and Guidelines for Seniors Housing, Community Care Facility and Group Residence Guidelines. Through the development of the strategy and related policies and guidelines, it was found that an update to the City's definitions of these uses within the Zoning and Development By-law would improve clarity for the public, potential applicants and Staff.

DISCUSSION

The proposed amendments would clarify types of seniors housing and care by updating the terms for Community Care Facility and Seniors Supportive or Assisted Housing to more descriptive and commonly used terms. The proposed Zoning and Development By-law changes and consequential amendments are summarized below.

Summary of Changes

1. Zoning and Development By-law (see Appendix A)
 - Clarify that registered assisted living is an institutional use and is treated similar to a licensed community care facility.

- Update the term assisted housing to independent living housing, a more commonly used term, to make clear that the use differs from assisted living.

Term	Proposed Updates to Definitions*
Community Care or Assisted Living Facility	Where used without a qualifier, both a Community Care or Assisted Living Facility - Class A and a Community Care or Assisted Living Facility - Class B.
Community Care or Assisted Living Facility - Class A	The use of premises operated as a licensed community care facility or registered assisted living facility in compliance with by a licensee under the Community Care and Assisted Living Act (British Columbia) to provide residential care to 6 or fewer persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.
Community Care or Assisted Living Facility - Class B	The use of premises operated as a licensed community care facility or registered assisted living facility in compliance with by a licensee under the Community Care and Assisted Living Act (British Columbia) to provide residential care to 7 or more persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.
Seniors Supportive or Independent Living Assisted -Housing	The use of a building for residential units designed to accommodate seniors as they age including separate common areas for dining and socializing, and the provision of meals, housekeeping and personal care but does not include a community care or assisted living facility or group residence.

*Proposed changes are identified in red.

2. Consequential amendments to various by-laws (see Appendix B)
 - Update the Downtown-Eastside/Oppenheimer Official Development Plan By-law, Parking By-law and Sign By-law to reflect the change in the Zoning and Development By-law definitions as outlined in Appendix A.
3. Consequential amendments to various City land use documents (see Appendix C)
 - Update various policies and guidelines to reflect the change in the Zoning and Development By-law definitions as outlined in Appendix A.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report's recommendations.

LEGAL IMPLICATIONS

There are no legal implications associated with this report's recommendations.

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APPENDIX A**DRAFT By-law to amend the Zoning and Development By-law No. 3575
regarding Seniors Housing Strategy related amendments**

Note: An amending by-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This by-law amends the indicated provisions of the Zoning and Development By-law No. 3575.
2. Council strikes out “Community Care Facility” wherever it appears and substitutes “Community Care or Assisted Living Facility”.
3. Council strikes out “Community Care Facility – Class A” wherever it appears and substitutes “Community Care or Assisted Living Facility – Class A”.
4. Council strikes out “Community care facility – class A” wherever it appears and substitutes “Community care or assisted living facility – class A”.
5. Council strikes out “community care facility – class A” wherever it appears and substitutes “community care or assisted living facility – class A”.
6. Council strikes out “Community Care Facility – Class B” wherever it appears and substitutes “Community Care or Assisted Living Facility – Class B”.
7. Council strikes out “community care facility – class B” wherever it appears and substitutes “community care or assisted living facility – class B”.
8. Council strikes out “Community care facility – class B” wherever it appears and substitutes “Community care or assisted living facility – class B”.
9. Council strikes out “Seniors Supportive or Assisted Housing” wherever it appears, and substitutes “Seniors Supportive or Independent Living Housing”.
10. Council strikes out “seniors supportive or assisted housing” wherever it appears, and substitutes “seniors supportive or independent living housing”.
11. Council strikes out “Seniors supportive or assisted housing” wherever it appears, and substitutes “Seniors supportive or independent living housing”.
12. In section 2, Council:
 - (a) in the Definition column next to the term “Community Care or Assisted Living Facility – Class A”, strikes out “operated as a community care facility by a licensee under the Community Care and Assisted Living Act” and substitutes “operated as a licensed community care facility or registered assisted living facility in compliance with the Community Care and Assisted Living Act”;
 - (b) in the Definition column next to the term “Community Care or Assisted Living Facility – Class B”, strikes out “operated as a community care facility by a licensee

under the Community Care and Assisted Living Act” and substitutes “operated as a licensed community care facility or registered assisted living facility in compliance with the Community Care and Assisted Living Act”; and

- (c) in the Definition column next to the term “Seniors Supportive or Independent Living Housing”, adds “, but does not include a Community Care or Assisted Living Facility or Group Residence” after “and personal care”.
13. 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.
14. This by-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2024

Mayor

City Clerk

APPENDIX C

Consequential amendments to various City policies and guidelines as a result of the Zoning and Development By-law amendments

Note: Amendments to Council adopted policies and guidelines will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Table 1: Amendments to Policies

Section	Page Number	Proposed Amendment	Rationale
Seniors Housing Rezoning Policy			
Section 2 Intent	Pages 3 and 4	<p>For this policy seniors housing refers to the following uses, which are defined within the Zoning & Development By-law and which are intended for older adults:</p> <ul style="list-style-type: none"> • Community Care or Assisted Living Facility - Class B The use of premises operated as a licensed community care facility or registered assisted living facility in compliance with by a licensee under the Community Care and Assisted Living Act (British Columbia) to provide residential care to 7 or more persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation. • Seniors Supportive or Independent Living Assisted-Housing The use of a building for residential units designed to accommodate seniors as they age including separate common areas for dining and socializing, and the provision of meals, housekeeping and personal care but does not include a community care or assisted living facility or group residence. <p>To encourage and enable more affordable types of seniors housing, additional heights and densities will be considered to create new seniors social housing, seniors supportive or independent living assisted housing, and community care or assisted living facilities that are 100% owned by a non-profit corporation, or by or on behalf of the City, the Province of British Columbia, or Canada. Additional heights and densities</p>	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.

		will also be considered for privately-owned seniors housing that contribute significant public benefits.	
Section 3 Eligible Seniors Housing Types	Page 5	<p>Projects must demonstrate that 100% of the residential or institutional floor space is one of, or a combination of, the following uses as defined by the Zoning and Development By-law:</p> <ul style="list-style-type: none"> • Community Care or Assisted Living Facility - Class B • Seniors Supportive or Independent Living Assisted-Housing <p>Seniors Supportive or Independent Living Assisted-Housing and Seniors Social Housing should be restricted to residents aged 55 years of age or older, whereas a Community Care or Assisted Living Facility should be intended for use by older adults but may also serve a broader age range with care needs.</p>	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Section 4 Location and Form of Development	Pages 5 and 6	<p>Seniors social housing and 100% government or non-profit owned community care or assisted living facilities may be considered for additional heights and densities above those outlined in Table 1, as described in Section 4.1. Privately-owned seniors housing types that contribute significant additional public benefits may also be considered for additional heights and densities above those outlined in Table 1. It should also be noted that a six storey Community Care Facility may be taller in height than a typical six storey Seniors Supportive or Independent Living Assisted-Housing, Assisted Living, or Seniors Social Housing building due to additional mechanical and electrical systems to meet operational needs.</p> <p>Table 1: Location and Form of Development Seniors Supportive or Independent Living Assisted-Housing or Assisted Living Facility</p>	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Section 4.1 Additional Height and Density	Page 7	Qualifying projects for additional height and density may be mixed-use (e.g., include a commercial component), but all of the residential units proposed in the	Update terms to align with updated definitions in the Zoning and

Considerations beyond Table 1		development must be rental in tenure or fall within the definition of a community care or assisted living facility.	Development By-law outlined in Appendix A.
Section 4.2 Rezoning Eligible Areas	Page 8	Any site outside of the area identified in Map A that has an existing Community Care or Assisted Living Facility – Class B, Seniors Supportive or Independent Living Assisted -Housing, or Social Housing apartment building. These sites would be considered for the same heights and densities as allowable in the yellow area of Map A.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Section 4.4 Design Guidelines	Page 8	(b) Seniors Housing, Community Care Facility and Group Residence Guidelines: Part B Seniors Supportive or Independent Living Housing and Assisted Living.	To correspond to consequential amendments being made to the design guidelines.
Section 7.1 Security of Tenure and Operational Requirements	Page 9	For Seniors Supportive or Independent Living Assisted -Housing, a Housing Agreement or other legal mechanism to restrict occupancy to those aged 55 years of age or older and to secure the units as rental housing (e.g. no stratification and no separate sales covenants), if the project is rental tenure.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Resident Relocation Policy for Community Care and Assisted Living Residences			
Section 3.1 Policy Coverage	Page 5	This Policy applies to existing community care and assisted living residences, as defined under the Zoning and Development By-law under Community Care or Assisted Living Facility.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Community Amenity Contributions Policy for Rezoning			
Appendix	Pages 13 and 14	Rezoning applications for 100% institutional developments (i.e. hospitals, community care or assisted living facilities, and post-secondary schools) Key Map Notes: a. Applies to 100% institutional developments (i.e. hospitals, community care or assisted living facilities, and post-secondary schools).	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.

Broadway Area West of Vine Street (Interim rezoning policy on consideration of rezoning applications and heritage revitalization agreements for the Broadway Area west of Vine)			
Policy 2	Page 1	Rezoning applications will be considered for projects involving social and supportive housing, community care or assisted living facilities or group residences, secured market rental housing, secured below market rental housing, and affordable student housing associated with educational institutions.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Rupert and Renfrew Interim Rezoning Policy			
Policies	Page 4	On parcels where residential uses can be permitted under the City of Vancouver's Regional Context Statement Official Development Plan: <ul style="list-style-type: none"> a. Applications for projects involving 100% social and supportive housing, or community care or assisted living facilities or group residences may be considered; 	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.

Table 2: Amendments to Guidelines

Section	Page Number	Proposed Amendment	Rationale
Seniors Housing, Community Care Facility and Group Residence Guidelines			
Section 2 Intent	Page 3	<p>These guidelines are to be used in conjunction with a district schedule of the Zoning and Development By-law or with an official development plan by-law for conditional approval of the following uses:</p> <ul style="list-style-type: none"> • Community Care or Assisted Living Facility - Class B • Seniors Supportive or Independent Living Assisted Housing • Group Residence <p>Part B: Seniors Supportive or Assisted Independent Living Housing and Assisted Living Guidelines applies to a building or portion of the building used as seniors supportive or independent living assisted housing, or as assisted living, whether registered or unregistered under the CCALA.</p>	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.

		In buildings with both community care (i.e., long-term care) and seniors supportive or independent living housing or assisted living uses, the relevant guidelines should be used for each portion of the building dedicated to that use.	
Section 4	Pages 9 to 16	Replace all instances of “independent housing” with “independent living housing”.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
RM-1 and RM-1N Guidelines			
Section 3 Uses	Page 15	(d) Seniors Supportive or Independent Living Assisted Housing may be considered on any site, subject to all the regulations and guidelines that would apply to other dwelling uses on the site.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Section 4.7 Floor Space Ratio	Page 19	(c) For Seniors Supportive or Independent Living Assisted -Housing, on sites that would qualify in size and frontage for multiple dwelling development, the maximum FSR to be considered should be as in (a)(i) above, and for other sites, as in (a)(ii) above.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
RT-10 and RT-10N Small House/Duplex Guidelines			
Section 3 Uses	Page 13	(e) Seniors Supportive or Independent Living Assisted -Housing may be considered on any site, subject to all the regulations and guidelines that would apply to other dwelling uses on the site.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
Section 4.6 Floor Space Ratio	Page 18	(c) For Seniors Supportive or Independent Living Assisted -Housing, on sites that would qualify in size and frontage for SH/D development, the maximum FSR to be considered should be as in (a)(i) above, and for other sites, as in (a)(ii) above.	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.
RT-11 and RT-11N Guidelines			
Section 4.6 Floor Space Ratio	Page 12	(d) For Seniors Supportive or Independent Living Assisted -Housing, the maximum FSR to be considered should be the same as other dwelling uses. While the guidelines in this document do not specifically address this use, they should be used as a guide for these buildings especially in regard to	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.

		neighbourliness and compatibility with their immediate surroundings.	
Arbutus C-7 and C-8 Guidelines			
Appendix A Residential Compatibility Table	Page 20	DWELLING Community Care or Assisted Living Facility – Class A* Community Care or Assisted Living Facility – Class B	Update terms to align with updated definitions in the Zoning and Development By-law outlined in Appendix A.