

BY-LAW NO. 12956

**A By-law to amend
Zoning and Development By-law No. 3575
regarding amendments related to the C-2 Districts
in the Rental Housing Stock Official Development Plan**

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 strikes out the definition of “Rental Housing Unit” and substitutes:

“For the purposes of section 4.3.9 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 3.3.2 of the RM-6, and FM-1 District Schedules, section 3.3.3 of the C-2 District Schedule, section 3.3.4 of the C-2B, RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedules, and section 3.3.5 of the C-2C District Schedule, and section 3.3.6 of the C-2C1 District Schedule, 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) a unit rented by a not for profit housing cooperative to a member of the cooperative;
- (b) a unit in a community care facility or group residence;
- (c) a unit in a hotel;
- (d) units in an equity co-op where, at the time of rezoning application, or at the time of development permit application for projects that do not require rezoning, the building was operated as an equity co-op within the last three years; or
- (e) units in a strata titled building where, at the time of rezoning application, or at the time of development permit application for projects that do not require rezoning, the majority of the units were within the last three years individually owned and:
 - (i) for which a petition has been filed with the Supreme Court of BC to dissolve the strata corporation; or
 - (ii) for which all the strata lots within the corporation are now under single ownership.”.

3. In Section 4, Council strikes out section 4.3.9 and substitutes:

“4.3.9 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 C-2, C-2B, C-2C1, 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 C-2, C-2B, C-2C, C2-C1, 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;
- (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; or
- (d) a building containing three or more dwelling units in conjunction with any of the uses listed in the applicable district schedule in the C-2, C-2B, C-2C, or C2-C1 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 C-2 District Schedule, Council:

(a) in section 3.2.DW:

- (i) in the bullet point for Dwelling units in conjunction with any of the uses listed in this schedule, adds “, in accordance with section 3.3.3 of this Schedule,” after “Dwelling units in conjunction with any of the uses listed in this schedule”,
- (ii) in the bullet point for Multiple Dwelling, adds “in accordance with section 3.3.3 of this Schedule,” after “Multiple Dwelling,”, and
- (iii) in the bullet point for Multiple Conversion Dwelling, adds “and in accordance with section 3.3.3 of this Schedule” after “conversion of a building which was in existence prior to June 18, 1956”;

(b) adds a new section 3.3.3 as follows:

“3.3.3 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of buildings containing three or more dwelling units in conjunction with any of the uses listed in this Schedule, Multiple Dwellings, or Multiple Conversion Dwellings consisting of three or more dwelling units, 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 on another site that was subject to the Rental Housing Stock ODP before it was rezoned to allow for replacement housing and is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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 C-2B District Schedule, Council:

- (a) in section 3.2.DW:

- (i) in the bullet point for Dwelling units in conjunction with any of the uses listed in this Schedule, adds “, in accordance with section 3.3.4 of this Schedule,” after “Dwelling units in conjunction with any of the uses listed in this Schedule”,
- (ii) in the bullet point for Multiple Dwelling, adds “in accordance with section 3.3.4 of this Schedule,” after “Multiple Dwelling,”, and
- (iii) in the bullet point for Multiple Conversion Dwelling, adds “and in accordance with section 3.3.4 of this Schedule” after “conversion of a building which was in existence prior to June 18, 1956”;

- (b) 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 buildings containing three or more dwelling units in conjunction with any of the uses listed in this Schedule, Multiple Dwellings, or Multiple Conversion Dwellings consisting of three or more dwelling units, 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 on another site that was subject to the Rental Housing Stock ODP before it was rezoned to allow for replacement housing and is

adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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 C-2C District Schedule, Council:

(a) in section 3.2.DW:

- (i) in the bullet point for Dwelling units in conjunction with any of the uses listed in this Schedule, adds “, in accordance with section 3.3.5 of this Schedule,” after “Dwelling units in conjunction with any of the uses listed in this Schedule”, and
- (ii) in the bullet point for Multiple Conversion Dwelling, adds “and in accordance with section 3.3.5 of this Schedule” after “conversion of a building which was in existence prior to June 18, 1956”.

(b) adds a new section 3.3.5 as follows:

“3.3.5 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of buildings containing three or more dwelling units in conjunction with any of the uses listed in this Schedule, or Multiple Conversion Dwellings consisting of three or more dwelling units, 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 on another site that was subject to the Rental Housing Stock ODP before it was rezoned to allow for replacement housing and is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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 C-2C1 District Schedule, Council:

(a) in section 3.2.DW:

- (i) in the bullet point for Dwelling units in conjunction with any of the uses listed in this Schedule, adds “, in accordance with section 3.3.6 of this Schedule,” after “Dwelling units in conjunction with any of the uses listed in this Schedule”,
- (ii) in the bullet point for Multiple Conversion Dwelling, adds “and in accordance with section 3.3.6 of this Schedule” after “conversion of a building which was in existence prior to June 18, 1956”, and
- (iii) in the bullet point for Multiple Dwelling, adds “, in accordance with section 3.3.6 of this Schedule,” after “Multiple Dwelling”.

(b) adds a new section 3.3.6 as follows:

“3.3.6 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of buildings containing three or more dwelling units in conjunction with any of the uses listed in this Schedule, 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 on another site that was subject to the Rental Housing Stock ODP before it was rezoned to allow for replacement housing and is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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. 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.

9. This By-law is to come into force and take effect on the date of its enactment, except that it does not come into force or take effect and the Zoning and Development By-law existing on April 26, 2021 remains in force with regard to any of the following:

- (a) rezoning enquiries that have resulted in a positive letter of response from the City dated between May 1, 2019 and February 9, 2021, provided that a rezoning application is submitted by October 27, 2021;
- (b) rezoning applications accepted prior to February 9, 2021; or
- (c) development permit applications accepted prior to February 9, 2021.

ENACTED by Council this 27th day of April, 2021

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk