

Schedule J

Affordable Housing Schedule

This is Schedule “J” to By-law No. 3575, being the “Zoning and Development By-law”.

This schedule applies to affordable dwelling units in a development where the applicable district schedule refers to this Schedule J.

1 DEFINITIONS

Term	Definition
Affordable Dwelling Units	Any of the following: (a) below-market rental dwelling units; or (b) social housing.
Below-Market Rental Dwelling Units	Dwelling units that are subject to the affordability, form of tenure, duration and other enumerated requirements in this Schedule J.
Social Housing	See Section 2 of this by-law.

2 COMPUTATION OF RESIDENTIAL FLOOR AREA

- 2.1 Where used to establish the portion of the residential floor area to be allocated to affordable dwelling units, residential floor area will be calculated as follows:
- (a) for below-market rental dwelling units, as the area of all dwelling units in the development, measured from the inside of all outer walls of each dwelling unit including any residential storage area excluded from the computation of residential floor area; and
 - (b) for social housing, in the same manner as the computation of the floor area of the applicable district schedule.

3 AFFORDABILITY

3.1 Below-Market Rental Dwelling Units

- 3.1.1 Below-market rental dwelling units must have average rents per dwelling unit type at initial occupancy and upon a change in tenancy that do not exceed an amount that is at least the following percentage discount rate for the relevant zoning district less than the average rent for all private rental apartment units city-wide for the applicable dwelling unit type as published by the Canada Mortgage and Housing Corporation Rental Market Survey Data Tables, or equivalent publication, in the previous calendar year:

Zoning District	Discount Rate
R3-1, R3-2 and R3-3	10%
R4-1	20%
R5-1, R5-2, R5-3 and R5-4	20%

3.2 Social Housing

- 3.2.1 Affordability requirements for social housing are set out by the definition of “social housing” in [Section 2](#) of this by-law, and for dwelling units required to be occupied by households with incomes below housing income limits, the maximum rent must not exceed a rate that is equivalent to 30% of the gross income of the household occupying the dwelling unit, except that if the units are rented at the shelter component of income assistance, the maximum rent is the shelter component of income assistance.

4 FORM OF TENURE

- 4.1 All affordable dwelling units must be secured as residential rental tenure.

5 OWNERSHIP AND MANAGEMENT

- 5.1 Below-market rental dwelling units must be managed in accordance with terms specified by the Director of Planning and secured in a housing agreement.
- 5.2 Social housing must be owned in accordance with the definition of “social housing” in [Section 2](#) of this by-law.
- 5.3 Where less than 100% of the residential floor area is developed as social housing, prior to the issuance of a development permit in relation to the property on which the social housing will be situated, the owner of the property on which such housing is situated must make arrangements to the satisfaction of the Director of Legal Services in consultation with the Director of Planning and the Director of Facilities Planning and

Development, to secure the applicant's obligation to design, build and deliver to the City an air space parcel containing the social housing, and the associated agreement or agreements will include, but not be limited to, the following terms:

- (a) an air space parcel containing the social housing together with the appropriate rights and obligations applicable to the ownership and operation of the legal parcel including reciprocal easements and indemnities, repair and maintenance, cost sharing, insurance and other applicable legal obligations, will be transferred to the City at a nominal cost upon completion of construction of the social housing;
- (b) as a condition of issuance of the development permit, a Letter of Credit or other form of security will be provided to the City in an amount equal to the estimated cost to complete and deliver the social housing parcel to the City; and
- (c) such other terms and conditions as the Director of Legal Services, the Director of Planning and the Director of Facilities Planning and Development may in their sole discretion require.

6 OCCUPANCY REQUIREMENTS

- 6.1 Below-market rental units must be occupied by households who satisfy eligibility requirements as specified by the Director of Planning and secured by a housing agreement.
- 6.2 Social housing must be occupied by households who satisfy the applicable requirements in the definition of "social housing" in [Section 2](#) of this by-law.

7 HOUSING AGREEMENT AND DURATION

7.1 Housing Agreement

- 7.1.1 Prior to issuance of a development permit in relation to the property on which the affordable dwelling units will be situated, the owner of the property on which such housing is situated must register against title to that property a housing agreement pursuant to section 565.2 of the Vancouver Charter, with such priority of registration and other terms as the Director of Legal Services and the Director of Planning may in their sole discretion require.
- 7.1.2 In addition to any other terms necessary to secure the requirements in this Schedule J, the housing agreement must include a section 219 covenant:
 - (a) securing the use of the affordable dwelling units as affordable dwelling units; and
 - (b) prohibiting the subdivision, stratification or separate sales of the affordable dwelling units.

7.2 Duration

7.2.1 All affordable dwelling units are subject to the requirements of this Schedule J for the longer of:

- (a) 60 years from the date of first occupancy of the affordable dwelling units; or
- (b) the life of the building in which the affordable dwelling units are situated.