BYLAWS

a. Bylaws for Victoria Housing Strategy Implementation – Minimum Unit Sizes

Motion:
It was moved by Councillor Alto, seconded by Councillor Coleman, that the following bylaw **be given first and second reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1101) No. 17-049*

Carried Unanimously

DRAFT

CITY OF VICTORIA

Council Report
For the Meeting of May 25, 2017

To:	Committee of the Whole	**Date:**	May 11, 2016
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	**Minimum Unit Sizes**		

RECOMMENDATION

1. That Council consider first and second readings of Bylaw No. 17-049.
2. That Bylaw No. 17-049 be considered at a Public Hearing.

BACKGROUND

Removing minimum unit sizes in multi-unit zones across Victoria was identified as a way to improve the diversity of housing options in the City in the *Victoria Housing Strategy 2016-2025*.

Staff prepared amendments to the *Zoning Regulation Bylaw*, which were considered at a Public Hearing on January 26, 2017, but referred back to Committee of the Whole on February 2, 2017, where Council amended the motion as follows:

1. That Council direct staff to revise the draft bylaw to establish minimum unit sizes of 33m^2 in all zones outlined in the report with the exception of R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen).
2. That for a Development Variance Permit to authorize anything under the 33m^2, staff should engage the applicant with regard to a housing agreement for the property.

The bylaw now before Council is to address item 1: to set a minimum unit size of 33m^2 in each of the five multi-unit zones in Victoria where the current minimum unit size is greater than 33m^2. The following table shows how the sizes will change:

Zone		Minimum Floor Area m^2	New Minimum Floor Area m^2
R3-AM-1	Mid-Rise Multiple Dwelling District	33	No change
R3-AM-2	Mid-Rise Multiple Dwelling District	33	No change
R3-G	**Garden Apartment District**	**33.5**	**33**
R-78	McClure Street Multiple Dwelling District	33	No change
R3-A-SC	Low Profile Multiple Dwelling (Senior Citizen) District	28	No change

Zone		Minimum Floor Area m^2	New Minimum Floor Area m^2
R3-L	**Low Density Multiple Dwelling District**	**46**	**33**
R3-1	Multiple Dwelling District	33	No change
R3-2	Multiple Dwelling District	33	No change
R3-B	Bonus Multiple Dwelling District	33	No change
R3-H	High Density Multiple Dwelling District	33	No change
R3-S	**Special Multiple Dwelling District**	**74**	**33**
R3-A1	Low Profile Multiple Dwelling District	33	No change
R3-A2	Low Profile Multiple Dwelling District	33	No change
CR-3	Commercial Residential Apartment District	33	No change
CR-3M	Commercial Residential Apartment Modified District	33	No change
CR-G	**Commercial Residential Gorge Road District**	**76**	**33**
C1-NM	Neighbourhood (Modified) Shopping District	33	No change
CR-4	Upper Cook Commercial Residential District	33	No change
CR-NP	North Park Commercial Residential District	33	No change
CR-4-OB	Oak Bay Commercial Residential District	33	No change
T-6	James Bay Transient Accommodation District	33	No change
CHP-R3	**Cathedral Hill Precinct (Multiple Dwelling) District**	**37**	**33**

Respectfully submitted,

Lindsay Milburn
Senior Planner - Housing Policy
Community Planning

Jonathan Tinney
Director
Sustainable Planning and Community Development

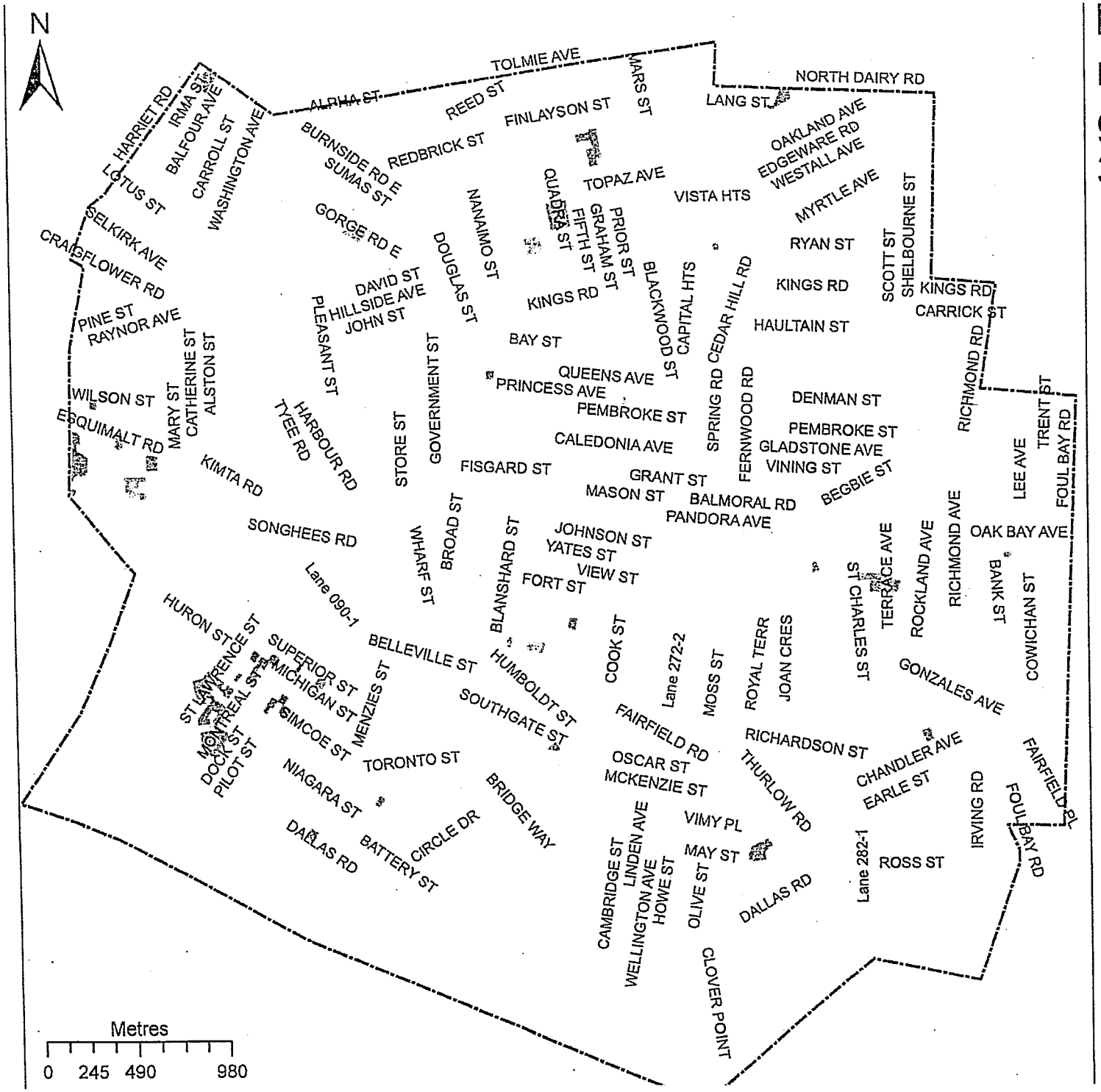
Report accepted and recommended by the City Manager:

Date: May 16, 2017

List of Attachments

- Attachment 1: Zoning maps showing affected zones.
- Attachment 2: Zoning Amendment Bylaw No. 17-049

Multi-unit residential zones greater than 33m2



Legend

City Boundary

Lands subject to the proposed bylaw

REPORTS OF COMMITTEES

1. Committee of the Whole – February 2, 2017

5. Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes

Motion:
It was moved by Councillor Loveday, seconded by Councillor Lucas:

1. That Council direct staff to revise the draft bylaw to establish Minimum unit sizes of $33m^2$ in all zones outlined in the report with the exception of R3-A-SC zone, Low Profile Multiple Dwelling (Senior Citizen).
2. That for a Development Variance Permit to authorize anything under the $33m^2$, staff should engage the applicant with regard to a housing agreement for the property.

Carried Unanimously

4.5 Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes

Committee received a report that was referred back from the January 26, 2017 Council meeting for clarification and further discussion at Committee of the Whole.

Committee discussed:

- Relaxing the minimum unit sizes rather than eliminating them altogether.

Motion: It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council direct staff to revise the draft bylaw to establish Minimum unit sizes of $33m^2$ in all zones outlined in the report with the exception of R3-A-SC zone, Low Profile Multiple Dwelling (Senior Citizen).

Committee discussed:

- Being careful to not promote transient accommodations.
- Ensuring that there is a mechanism in place to ensure that units are actually affordable.

Amendment: It was moved by Mayor Helps, seconded Councillor Thornton-Joe, that the motion be amended as follows:

1. that Council direct staff to revise the draft bylaw to establish Minimum unit sizes of $33m^2$ in all zones outlined in the report with the exception of R3-A-SC zone, Low Profile Multiple Dwelling (Senior Citizen).
2. **that for a Development Variance Permit to authorize anything under the $33m^2$, staff should engage the applicant with regard to a housing agreement for the property.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

1. that Council direct staff to revise the draft bylaw to establish Minimum unit sizes of $33m^2$ in all zones outlined in the report with the exception of R3-A-SC zone, Low Profile Multiple Dwelling (Senior Citizen).
2. that for a Development Variance Permit to authorize anything under the $33m^2$, staff should engage the applicant with regard to a housing agreement for the property.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Amanda Ferguson

From: Victoria E. Adams[redacted]
Sent: Thursday, January 26, 2017 6:10 PM
To: Lisa Helps (Mayor); Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Chris Coleman (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Marianne Alto (Councillor); Pam Madoff (Councillor)
Cc: Public Hearings
Subject: Proposed Changes to Victoria's Housing Strategy Implementation - Removing Minimum Unit Sizes - Zoning Regulation Amendement Bylaw (No. 15) No. 16.-094

26 January, 2017

Mayor and Council
City of Victoria

Re: **Proposed Changes to the Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes: Zoning Regulation Amendment Bylaw (No. 15) No. 16-094**

I wish to oppose the proposed bylaws changes to remove the minimum size of residential units in Victoria.

To eliminate the restriction on the size of residential units (allegedly, to increase the number of affordable dwellings by increasing the density of housing in an already limited building environment), will only serve to exacerbate the City's serious housing problem.

Is this change— with the reduction of parking requirements, and revising of secondary suite bylaws—
a strategy to serve developers and property investors who use housing as a speculative commercial commodity? Does the City's decision to eliminate minimum size, allow developers to build "micro-unit" condo towers? Or permit hotel-suite conversions into micro-units— many of which are less than 250 square feet – the size of a shoebox, coffin, or closet? This appears to be the real endgame.

The "low hanging fruit" housing plan of the City is nothing but a convenient way to create vehicles for real estate investors to market untaxed, unregulated, high-priced fashionable short-term vacation rentals to well-heeled tourists and others seeking the City's attractions. If micro-apartments are the future of urban housing, they will increase the 'ground rent' or dollar per square foot developers will both earn, and come to expect for their investment. Clearly, the winners in this strategy are: the developers, the owners of posh pieds-a-terre, and the City which reaps the rewards: higher property taxes.

Sixty percent of Victoria residents rent their living accommodation; many have done so for decades. Working families, students, and seniors living on fixed incomes are the losers in this proposed bylaw change. They face growing displacement through "renovictions", (more than 5,000 applications have been received by the Province's Tenancy Branch in the past year), in a city with less than a one percent vacancy rate and unaffordable, unavailable places to move. Others face homelessness with the growing number of older rental homes and apartment property demolitions. Currently 86 percent of the housing supply in the CRD is geared toward households with annual incomes in excess of $100,000.

The erosion of building codes and zoning regulations means that standard-sized living units (one-bedroom units 400-650 sq. feet) which represent the majority of rental units, are now being whittled down to cubicles with Juliet balconies, mini-sized dorm units with built-in beds, shelves and appliances including limited amenities such as shared lounges or roof-top gardens.

Is it coincidence that U.S. cities such as San Francisco, Boston, Washington, and Austin, Texas which are home to numerous legal micro suites also have the highest proportion of Airbnb and other short-term vacation rental units? In other words, is this novel form of accommodation really being introduced to fill a local housing need? Or is it fueled by commercial real estate interests who want to cash in on the lucrative short-term vacation rental market?

Who can live in these boxes? Young, single professionals and high-tech contractors who are willing to walk or bike to work? Is the City being transformed into an exclusive enclave of short-term vacation rentals and compact cubbies for upscale transient tourists and hip Silicon-Valley types? Who among the more than 37 percent of households living alone in this city, (many of whom are retirees), would wish to live in these premium-priced, uncomfortable minimalist units?

In a City which is already facing a significant increase in vehicle-related accidents in the high-density population core, and increased levels of social alienation and depression, miniscule living units pose yet another significant population health risk. Are Seattle's 90 sq. ft. micro units the answer to living a healthy lifestyle? Or are millennial multi-taskers (working three to four part-time jobs) being asked to accept a minimalist, multi-function form of accommodation in the name of modernity?

Before jumping on the bandwagon of housing affordability by reducing the size of a livable dwelling unit, Council needs to consider the potential health risks and crowding challenges that may well outweigh the promised benefits of this change in bylaw regulations. In return for relaxing parking requirements and eliminating minimum unit sizes, how many units will be secured as affordable rental units? Or will such units be restricted to high-income individuals?

Some say that property in Victoria is worth its weight in gold; but, all that glitters is not gold. Especially when the majority of the City's rental households will be evicted and displaced— to make way for these infinitesimal pieces of paradise in the sky or wee ground-oriented tiny homes.

Sincerely,

Victoria Adams
James Bay resident

Burnside Gorge Community Association

471 Cecelia Road, Victoria, BC V8T 4T4
T. 250-388-5251 | F. 250-388-5269
info@burnsidegorge.ca | www.burnsidegorge.ca

January 27, 2017

Mayor & Council
#1 Centennial Square
Victoria, BC

Dear Mayor and Council,

The Burnside Gorge Community Association (BGCA) and its Land Use Committee (LUC) are writing in response to the proposed City Council motion to remove the minimum unit size requirements from multi-unit zones throughout Victoria in order to support the Victoria Housing Strategy 2016-2025.

While the BGCA fully supports the goal of providing affordable housing for Victoria's residents, we believe this motion is an inappropriate method of increasing housing affordability in our community. It also contradicts goals laid out in the Official Community Plan, such as developing family-friendly housing in all neighbourhoods. Burnside Gorge has one of the highest concentrations of low-income single occupancy housing in the city, including the many former motels along Gorge Road. The proposed removal of minimum unit sizes in the designated zoning areas basically amounts to single resident occupancy which does not encourage a diversity of housing in the area and does little for the overall development of our community for families.

The BGCA supports the recent City of Victoria Garden Suite initiative and is of the opinion that integrating garden suites throughout the neighbourhood results in a much more cohesive, family oriented community than a localized block of minimally sized units.

As expressed in the past, BGCA also has concerns about a continued precedent being set for affordable housing projects that have their development cost charges waived or reduced. Developers for many rezoning applications for affordable or supportive housing projects in the past few years have argued that the cost of amenity contributions would render their projects unviable. The cumulative effect of waiving amenity contributions is a lack of improvement in the public realm around these projects, many of which are in close proximity to each other. Residents of these developments and the surrounding neighbourhood, deserve access to high quality public infrastructure improvements that DCC's pay for. In the past two months alone, the LUC has heard from developers of 736 Princess Avenue, 3025 Douglas Street, and 2915 Douglas Street (former Super 8) requesting a parking variance to 0. While we applaud the City's efforts to creatively address issues surrounding affordable housing removal of minimum unit sizes stymies our capacity to promote the development of the neighbourhood in line with the recently completed Local Area Plan.

In closing the BGCA is not supportive of the motion to remove minimum unit size requirements. At the same time we wish to reinforce our commitment to working with the City of Victoria and Council in an active and meaningful way for the benefit of our community's development.

Sincerely,

Avery Stetski
President

TAPS
TOGETHER AGAINST
POVERTY SOCIETY

302 – 895 Fort Street, Lekwungen Territories, Victoria, BC, Canada V8W 1H7
Tel: (250) 361-3521 Fax: (250) 361-3541 Web: www.tapsbc.ca

31 January 2017

City Hall
1 Centennial Square
Lekwungen Territories
Victoria, BC
V8W 1P5

ATTN: Victoria Mayor and Council

Through Mayor Lisa Helps:

RE: Housing Affordability Task Force – Minimum Unit Size (Zoning Regulation Amendment Bylaw [No. 15] No. 16-094

This letter is written in response to recent Council deliberations on minimum unit size that reference recommendations from the Mayor's Housing Affordability Task Force, of which TAPS was a member. TAPS received an invitation from city staff, January 10, 2017, to participate in community consultations held January 26, 2017. We were unable to attend and offer the following feedback ahead of future Council considerations.

TAPS supports a *modest* reduction in the minimum unit size for the 3-4 zones with limits above 33m2 (355ft2), and does not support removal or a reduction of the minimum unit size of 33m2 for all other zones under consideration. It is reasonable to require developers who seek to build beneath this threshold to seek approval through council by way of request for variance. Affordability and livability are both crucially important in serving the interest of low income Victorians and it is our view that allowing developers to build units under 33m2, roughly the size of two city parking stalls, compromises livability without a guarantee of increased affordability on balance.

Where a specific relaxation of minimum unit sizes is requested, Council should adopt a policy on what is a reasonable minimum. In the interest of livability, we suggest that a reduction much further below 33m2 is not appropriate. Further, approval of any relaxation should be contingent on securing it as permanent or long standing rental market housing or affordable housing.

Citizens of Victoria, who are desperately in need of affordable housing, deserve to have the option of enough space to live in comfortably with a family, to host friends, and to live with dignity rather than merely exist within a small cramped space. Access to sunlight is important but livability is about more than an un-opening window. While small built units can make sense

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The Law Foundation of British Columbia, United Way of Greater Victoria,
Province of British Columbia,
and other generous donors.

in some locations and for some individuals there must be thought to ensuring a variety of size and form built affordable units.

Please note that the recommendations brought forward in the final report from the Mayor's Task Force on Housing Affordability do not reflect a consensus of the group participants. While TAPS supports many of the recommendations there was not full agreement from all parties on each recommendation. Specifically, TAPS does not support the removal of all minimum unit size requirements in multi-unit developments as noted above.

Sincerely,

Yuka Kurokawa,
Tenant Legal Advocate, TAPS
tenantadvocate@tapsbc.ca

Amanda Ferguson

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Sincerely,

Victoria Adams
James Bay resident

Burnside Gorge Community Association

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January 27, 2017

Mayor & Council
#1 Centennial Square
Victoria, BC

Dear Mayor and Council,

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While the BGCA fully supports the goal of providing affordable housing for Victoria's residents, we believe this motion is an inappropriate method of increasing housing affordability in our community. It also contradicts goals laid out in the Official Community Plan, such as developing family-friendly housing in all neighbourhoods. Burnside Gorge has one of the highest concentrations of low-income single occupancy housing in the city, including the many former motels along Gorge Road. The proposed removal of minimum unit sizes in the designated zoning areas basically amounts to single resident occupancy which does not encourage a diversity of housing in the area and does little for the overall development of our community for families.

The BGCA supports the recent City of Victoria Garden Suite initiative and is of the opinion that integrating garden suites throughout the neighbourhood results in a much more cohesive, family oriented community than a localized block of minimally sized units.

As expressed in the past, BGCA also has concerns about a continued precedent being set for affordable housing projects that have their development cost charges waived or reduced. Developers for many rezoning applications for affordable or supportive housing projects in the past few years have argued that the cost of amenity contributions would render their projects unviable. The cumulative effect of waiving amenity contributions is a lack of improvement in the public realm around these projects, many of which are in close proximity to each other. Residents of these developments and the surrounding neighbourhood, deserve access to high quality public infrastructure improvements that DCC's pay for. In the past two months alone, the LUC has heard from developers of 736 Princess Avenue, 3025 Douglas Street, and 2915 Douglas Street (former Super 8) requesting a parking variance to 0. While we applaud the City's efforts to creatively address issues surrounding affordable housing removal of minimum unit sizes stymies our capacity to promote the development of the neighbourhood in line with the recently completed Local Area Plan.

In closing the BGCA is not supportive of the motion to remove minimum unit size requirements. At the same time we wish to reinforce our commitment to working with the City of Victoria and Council in an active and meaningful way for the benefit of our community's development.

Sincerely,

Avery Stetski
President

PUBLIC AND STATUTORY HEARINGS

2. Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes

1. **Public Hearing**
Zoning Regulation Bylaw, Amendment Bylaw (No. 1079) No. 16-094
The purpose of this Bylaw is to amend the *Zoning Regulation Bylaw* to remove minimum unit sizes from multi-unit zones throughout the City of Victoria and to include certain minimum livability standards for dwelling units within those zones. The proposed amendments will affect lands located in the following zones:

R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
R3-G Zone, Garden Apartment District
R-78 Zone, McClure Street Multiple Dwelling District
R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
R3-L Zone, Low Density Multiple Dwelling District
R3-1 Zone, Multiple Dwelling District
R3-2 Zone, Multiple Dwelling District
R3-B Zone, Bonus Multiple Dwelling District
R3-H Zone, High Density Multiple Dwelling District
R3-S Zone, Special Multiple Dwelling District
R3-A1 Zone, Low Profile Multiple Dwelling District
R3-A2 Zone, Low Profile Multiple Dwelling District
CR-3 Zone, Commercial Residential Apartment District
CR-3M Zone, Commercial Residential Apartment Modified District
CR-G Zone, Commercial Residential Gorge Road District
C1-NM Zone, Neighbourhood (Modified) Shopping District
CR-4 Zone, Upper Cook Commercial Residential District
CR-NP Zone, North Park Commercial Residential District
CR-4-OB Zone, Oak Bay Commercial Residential District
T-6 Zone, James Bay Transient Accommodation District
CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

A. Meyer (Assistant Director of Development Services): Advised that the rezoning application is to amend the Zoning Regulation Bylaw to remove minimum residential unit sizes in multi-unit residential zones.

Mayor Helps opened the public hearing at 9:36 p.m.

Council discussed the following:
- *The allowance of short term vacation rentals.*

Roxanne Leese (Selkirk Aveue): Expressed support for the application as it would allow people who are marginalized to live with dignity.

Marg Gardner (Chair of James Bay Community Association): Expressed concerns regarding the application, as increased density in the James Bay neighbourhood would negatively affect the community.

Mayor Helps closed the public hearing at 9:52 p.m.

2. **Bylaw Approval**

Motion:
It was moved by Mayor Helps, seconded by Councillor Alto, that the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1079) No. 16-094

Council discussed the following:

- *That this would allow for more affordable housing.*
- *Whether the complete elimination of unit size is supportable.*

Motion to refer:
It was moved by Councillor Isitt, seconded by Councillor Madoff, that the motion be referred back to Committee Of The Whole to allow Council and staff to address concerns.

Council discussed the following:

- *Whether further refinements to the bylaw should be made.*
- *That amendments can be made at future meetings, while still allowing for affordable housing to be created in the interim.*

On the motion to refer:
Carried

For: **Councillors Coleman, Isitt, Loveday, Madoff, and Young**
Opposed: **Mayor Helps, Councillors Alto, Lucas, and Thornton-Joe**

BYLAWS

1. FIRST READING

Motion:
It was moved by Councillor Loveday, seconded by Councillor Coleman, that the following bylaw **be given first reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1079) No. 16-094*
   (Bylaw for Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes)

Carried

For: **Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe**
Opposed: **Councillors Isitt, Madoff, and Young**

2. SECOND READING

Motion:
It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be given first reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1079) No. 16-094*
   (Bylaw for Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes)

Carried

For: **Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe**
Opposed: **Councillors Isitt, Madoff, and Young**

CITY OF VICTORIA

Council Report
For the Meeting of December 8, 2016

To:	Council	**Date:**	November 25, 2016
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes		

RECOMMENDATIONS

1. That Council consider first and second readings of Bylaw No. 16-094;
2. That Bylaw No. 16-094 be considered at a Public Hearing to be scheduled by staff.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 16-094. This matter came before Council on September 15, 2016 where the following resolution was approved:

That Council direct staff to:

1. Prepare amendments to the *Zoning Regulation Bylaw* to remove minimum residential unit size regulations and add new regulations that address liveability in the following zones:
   - i. R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
   - ii. R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
   - iii. R3-G Zone, Garden Apartment District
   - iv. R-78 Zone, McClure Street Multiple Dwelling District
   - v. R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
   - vi. R3-L Zone, Low Density Multiple Dwelling District
   - vii. R3-1 Zone, Multiple Dwelling District
   - viii. R3-2 Zone, Multiple Dwelling District
   - ix. R3-B Zone, Bonus Multiple Dwelling District
   - x. R3-H Zone, High Density Multiple Dwelling District
   - xi. R3-S Zone, Special Multiple Dwelling District
   - xii. R3-A1 Zone, Low Profile Multiple Dwelling District
   - xiii. R3-A2 Zone, Low Profile Multiple Dwelling District
   - xiv. CR-3 Zone, Commercial Residential Apartment District
   - xv. CR-3M Zone, Commercial Residential Apartment Modified District
   - xvi. CR-G Zone, Commercial Residential Gorge Road District
   - xvii. C1-NM Zone, Neighbourhood (Modified) Shopping District
   - xviii. CR-4 Zone, Upper Cook Commercial Residential District
   - xix. CR-NP Zone, North Park Commercial Residential District
   - xx. CR-4-OB Zone, Oak Bay Commercial Residential District
   - xxi. T-6 Zone, James Bay Transient Accommodation District

xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

2. Bring forward the proposed zoning amendments for consideration of first and second readings in the Fall of 2016.

3. Notify:
   i. the Community Association Land Use Committees, the Urban Development Institute, Together Against Poverty Society, and members of the Mayor's Task Force on Housing Affordability on the proposed zoning amendments through a stakeholder email with an opportunity to comment at a public hearing
   ii. the general public through newspaper notices and the City's website and social media channels, with an opportunity for comment up to, and at the public hearing.

4. That the Zoning Bylaw amendments include the requirement for an operable window in each unit.

CHANGES

Staff have altered the liveability requirements in Council's direction "That the Zoning Bylaw amendments include the requirement for an operable window in each unit" by changing "operable window" to "window to the outside" after further considering the practicality of this requirement. It was stressed that a number of developments may find the requirement to have a window that opens problematic, often posing a safety or security risk. For example, ground floor units with operable windows may present a security concern in some buildings; while in supportive housing or other developments in which residents struggle with mental wellness, addiction, or behavioural issues, a window that opens may, in itself, present a safety risk. Because the BC Building Code contains rules ensuring ventilation and emergency egress, a window that does not open does not pose any risk to safety and access to fresh air. Access to natural light is not covered by the Code, so the inclusion of a new requirement for buildings with no minimum unit size to contain at least one window to the outside will ensure units receive natural light. This new zoning regulation will work in conjunction with the Code to ensure liveability standards are in place, and provide flexibility for developments in need of balancing multiple objectives in their designs.

Respectfully submitted,

Lindsay Milburn
Senior Planner – Housing Policy

Jonathan Tinney, Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager: _____

Date: December 1, 2016

Attachment: Bylaw No. 16-094

NO. 16-094

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by amending the Schedule A definitions to include a definition for ' window to the outside' and by amending Zones R3-AM-1, R3-AM-2, R3-G, R-78, R3-A-SC, R3-L, R3-1, R3-2, R3-B, R3-H, R3-S, R3-A1, R3-A2, CR-3, CR-3M, CR-G, C1-NM, CR-4, CR-NP, CR-4-OB, T-6, and CHP-R3 to remove reference to minimum residential unit sizes in multi-unit residential zones and replacing with livability regulations.

The Council of The Corporation of the City of Victoria enacts the following provisions:

Title

1 This Bylaw may be cited as "ZONING REGULATION BYLAW, AMENDMENT BYLAW (No. 1079)"

Zoning Regulation Bylaw

2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:

(a) In Part 3.10 (R3-AM-1 and R3-AM-2 Zones, Mid-Rise Multiple Dwelling District) of Schedule B:

(i) in section 3.10.15 (Suite Size) by repealing that section and substituting the following new section 3.10.15:

"Livability of Dwelling Units

15. Each self-contained dwelling unit shall have at least one window to the outside."

(b) In Part 3.1 (R3-G Zone, Garden Apartment District) of Schedule B:

(i) in section 3.1.3 (Size of Dwelling Units) by repealing that section and substituting the following new section 3.1.3:

"Livability of Dwelling Units

3 Each self-contained dwelling unit shall have at least one window to the outside."

(c) In Part 3.101 (R-78 Zone, McClure Street Multiple Dwelling District) of Schedule B:

(i) in section 3.101.8 (Self-contained Dwelling Unit Size) by repealing that section and substituting the following new section 3.101.8:

"3.101.8 Livability of Dwelling Units

Each self-contained dwelling unit shall have at least one window to the outside."

(d) In Part 3.13 (R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District) of Schedule B:

(i) in section 3.13.3 (Minimum Size of Dwelling Unit) by repealing that section and substituting the following new section 3.13.3:

"Livability of Dwelling Units

3 Each dwelling unit shall have at least one window to the outside."

(e) In Part 3.2 (R3-L Zone, Low Density Multiple Dwelling District) of Schedule B:

(i) in section 3.2.6 (Floor Area) by repealing the following lines:

"Multiple Dwelling conversion (See Sec. 15) $46m^2$"

"Multiple Dwellings $46m^2$"

(ii) in section 3.2.8 (Multiple Dwellings, Churches, and Public Schools) by adding the following new paragraph (i) immediately after paragraph (h):

"(i) Each self-contained dwelling unit in a multiple dwelling shall have at least one window to the outside."

(f) In Part 3.3 (R3-1 and R3-2 Zone, Multiple Dwelling District) of Schedule B:

(i) in sections 3.3.2 and 3.3.3 (Size and Height Restrictions)

(1) by repealing paragraph 3.3.2

(2) by renumbering paragraph 3.3.3 as 3.3.2

(ii) by renumbering all subsequent sections after new section 3.3.2 in new sequential order

(iii) by adding new section 23 immediately after renumbered section 22 (Balcony Enclosures):

"Livability of dwelling units

23 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(g) In Part 3.4 (R3-B Zone, Bonus Multiple Dwelling District) of Schedule B:

(i) in section 3.4.2 (Floor Area) by repealing that section and substituting the following new section 3.4.2:

"Livability of Dwelling Units

2. Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(h) In Part 3.5 (R3-H Zone, High-Density Dwelling District) of Schedule B:

(i) in section 3.5.2 by repealing that section and substituting the following new section 3.5.2:

"2. Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(i) In Part 3.6 (R3-S Zone, Special Multiple Dwelling District) of Schedule B:

(i) in section 3.6.3 (Floor Area) by repealing that section and substituting the following new section 3.6.3:

"Livability of Dwelling Units

3 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(j) In Part 3.9 (R3-A1 and R3-A2 Zone, Low Profile Multiple Dwelling District) of Schedule B:

(i) in section 3.9.8 (Minimum Apartment Size) by repealing that section and substituting the following new section 3.9.8:

"Livability of Dwelling Units

8. Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(k) In Part 4.14 (CR-3 Zone, Commercial Residential Apartment District) of Schedule B:

(i) in section 4.14.4 (Minimum Apartment Size) by repealing that section and substituting the following new section 4.14.4:

"Livability of Dwelling Units

4 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(l) In Part 4.15 (CR-3M Zone, Commercial Residential Apartment Modified District) of Schedule B:

(i) in section 4.15.5 (Minimum Apartment Size) by repealing that section and substituting the following new section 4.15.5:

"Livability of Dwelling Units

5 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(m) In Part 4.31 (CR-G Zone, Commercial Residential Gorge Road District) of Schedule B:

(i) in section 4.31.4 (Dwelling Unit Size) by repealing that section and substituting the following new section 4.31.4:

"Livability of Dwelling Units

4 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(n) In Part 4.3.1 (C1-NM Zone, Neighbourhood (Modified) Shopping District) of Schedule B:

(i) in section 4.3.1.4 (Minimum Apartment Size) by repealing that section and substituting the following new section 4.3.1.4:

"Livability of Dwelling Units

4 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

(o) In Part 4.61 (CR-4 Zone, Upper Cook Commercial-Residential District) of Schedule B:

(i) in section 4.61.3

(1) by repealing paragraph 4.61.3(1)

and by renumbering paragraph 4.61.3(2) as 4.61.3

(ii) by adding a new section 4.61.9 immediately after section 4.61.8 (Parking) and adding the following new paragraph:

"Livability of Dwelling Units

9 Each self-contained dwelling unit in a multiple dwelling shall have at least one window to the outside."

(p) In Part 4.62 (CR-NP Zone, North Park Commercial Residential District) of Schedule B:

(i) in section 4.62.4 (Floor Area) by repealing that section and substituting the following new section 4.62.4:

"Livability of Dwelling Units

4 Each self-contained dwelling unit in a multiple dwelling shall have at least one window to the outside."

(q) In Part 4.75 (CR-4-OB Zone, Oak Bay Commercial Residential District) of Schedule B:

(i) in section 4.75.3 by repealing paragraph 4.75.3 b.

(ii) by adding a new section 4.75.9 immediately after section 4.75.8 (Vehicle and Bicycle Parking) and adding the following new section:

"4.75.9 Livability of Dwelling Units

a. Each self-contained dwelling unit in a multiple dwelling shall have at least one window to the outside."

(r) In Part 5.6 (T-6 Zone, James Bay Transient Accommodation District) of Schedule B:

(i) in sections 5.6.2 and 5.6.3 by repealing these two sections (Unit Size)

(ii) in section 5.6.4 by renumbering this section as 5.6.2

(iii) by renumbering all subsequent sections after new section 5.6.2 in new sequential order

(iv) by adding the following new section 5.6.13 immediately after renumbered section 5.6.12 (Parking):

"Livability of Dwelling Units

13 Each self-contained dwelling unit in a multiple dwelling shall have at least one window to the outside."

(s) In Part 8.1 (CHP-R3 Zone – Cathedral Hill Precinct (Multiple Dwelling) District) of Schedule B:

(i) in section 8.1.3 (Buildings) by repealing that section and substituting the following new section 8.1.3:

"3 Each dwelling unit in a multiple dwelling shall have at least one window to the outside."

Effective Date

3 This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2016
READ A SECOND TIME the	day of	2016
Public hearing held on the	day of	2016
READ A THIRD TIME the	day of	2016
ADOPTED on the	day of	2016

CITY CLERK MAYOR

REPORTS OF COMMITTEES

1. Committee of the Whole – September 15, 2016

2. Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council direct staff to:

1. Prepare amendments to the *Zoning Regulation Bylaw* to remove minimum residential unit size regulations and add new regulations that address liveability in the following zones:
   i. R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
   ii. R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
   iii. R3-G Zone, Garden Apartment District
   iv. R-78 Zone, McClure Street Multiple Dwelling District
   v. R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
   vi. R3-L Zone, Low Density Multiple Dwelling District
   vii. R3-1 Zone, Multiple Dwelling District
   viii. R3-2 Zone, Multiple Dwelling District
   ix. R3-B Zone, Bonus Multiple Dwelling District
   x. R3-H Zone, High Density Multiple Dwelling District
   xi. R3-S Zone, Special Multiple Dwelling District
   xii. R3-A1 Zone, Low Profile Multiple Dwelling District
   xiii. R3-A2 Zone, Low Profile Multiple Dwelling District
   xiv. CR-3 Zone, Commercial Residential Apartment District
   xv. CR-3M Zone, Commercial Residential Apartment Modified District
   xvi. CR-G Zone, Commercial Residential Gorge Road District
   xvii. C1-NM Zone, Neighbourhood (Modified) Shopping District
   xviii. CR-4 Zone, Upper Cook Commercial Residential District
   xix. CR-NP Zone, North Park Commercial Residential District
   xx. CR-4-OB Zone, Oak Bay Commercial Residential District
   xxi. T-6 Zone, James Bay Transient Accommodation District
   xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.
2. That staff bring forward the proposed zoning amendments for consideration of first and second readings in the Fall of 2016,
3. That the City notify:
   i. the Community Association Land Use Committees, the Urban Development Institute, Together Against Poverty Society, and members of the Mayor's Task Force on Housing Affordability on the proposed zoning amendments through a stakeholder email with an opportunity to comment at a public hearing
   ii. the general public through newspaper notices and the City's website and social media channels, with an opportunity for comment up to and at the public hearing.
4. That the zoning amendments include the requirement for an operable window in each unit.

Carried Unanimously

4.2 Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes

Committee received a presentation and a report dated September 1, 2016 providing information, analysis and recommendations on an approach to amending the *Zoning Regulation Bylaw* to add new regulations that address liveability.

Committee discussed:

- Other liveability standards which may need to be included in the Bylaw.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to:

1. Prepare amendments to the *Zoning Regulation Bylaw* to remove minimum residential unit size regulations and add new regulations that address liveability in the following zones:
   i. R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
   ii. R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
   iii. R3-G Zone, Garden Apartment District
   iv. R-78 Zone, McClure Street Multiple Dwelling District
   v. R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
   vi. R3-L Zone, Low Density Multiple Dwelling District
   vii. R3-1 Zone, Multiple Dwelling District
   viii. R3-2 Zone, Multiple Dwelling District
   ix. R3-B Zone, Bonus Multiple Dwelling District
   x. R3-H Zone, High Density Multiple Dwelling District
   xi. R3-S Zone, Special Multiple Dwelling District
   xii. R3-A1 Zone, Low Profile Multiple Dwelling District
   xiii. R3-A2 Zone, Low Profile Multiple Dwelling District
   xiv. CR-3 Zone, Commercial Residential Apartment District
   xv. CR-3M Zone, Commercial Residential Apartment Modified District
   xvi. CR-G Zone, Commercial Residential Gorge Road District
   xvii. C1-NM Zone, Neighbourhood (Modified) Shopping District
   xviii. CR-4 Zone, Upper Cook Commercial Residential District
   xix. CR-NP Zone, North Park Commercial Residential District
   xx. CR-4-OB Zone, Oak Bay Commercial Residential District
   xxi. T-6 Zone, James Bay Transient Accommodation District
   xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

2. That staff bring forward the proposed zoning amendments for consideration of first and second readings in the Fall of 2016,

3. That the City notify:
   i. the Community Association Land Use Committees, the Urban Development Institute, Together Against Poverty Society, and members of the Mayor's Task Force on Housing Affordability on the proposed zoning amendments through a stakeholder email with an opportunity to comment at a public hearing
   ii. the general public through newspaper notices and the City's website and social media channels, with an opportunity for comment up to and at the public hearing.

CARRIED UNANIMOUSLY 16/COTW

Amendment: It was moved by Councillor Isitt and seconded by Councillor Loveday, that the motion be amended to include the following:

that the zoning amendment include the requirement for an operable window in each unit.

On the amendment:
CARRIED UNANIMOUSLY 16/COTW

Committee discussed:

- Units including kitchen and bathroom facilities in order to be considered self-contained.
- Varying unit sizes in order to include families, couples and singles.
- Future enforcement of regulations on Airbnb.
- Ensuring that the smaller units will be affordable.
- Utilizing all of the square footage of the unit.
- Creating community spaces and outdoor living spaces

Main motion as amended

1. Prepare amendments to the *Zoning Regulation Bylaw* to remove minimum residential unit size regulations and add new regulations that address liveability in the following zones:
    i. R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
    ii. R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
    iii. R3-G Zone, Garden Apartment District
    iv. R-78 Zone, McClure Street Multiple Dwelling District
    v. R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
    vi. R3-L Zone, Low Density Multiple Dwelling District
    vii. R3-1 Zone, Multiple Dwelling District
    viii. R3-2 Zone, Multiple Dwelling District
    ix. R3-B Zone, Bonus Multiple Dwelling District
    x. R3-H Zone, High Density Multiple Dwelling District
    xi. R3-S Zone, Special Multiple Dwelling District
    xii. R3-A1 Zone, Low Profile Multiple Dwelling District
    xiii. R3-A2 Zone, Low Profile Multiple Dwelling District
    xiv. CR-3 Zone, Commercial Residential Apartment District
    xv. CR-3M Zone, Commercial Residential Apartment Modified District
    xvi. CR-G Zone, Commercial Residential Gorge Road District
    xvii. C1-NM Zone, Neighbourhood (Modified) Shopping District
    xviii. CR-4 Zone, Upper Cook Commercial Residential District
    xix. CR-NP Zone, North Park Commercial Residential District
    xx. CR-4-OB Zone, Oak Bay Commercial Residential District
    xxi. T-6 Zone, James Bay Transient Accommodation District
    xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

2. That staff bring forward the proposed zoning amendments for consideration of first and second readings in the Fall of 2016.

3. That the City notify:
    i. the Community Association Land Use Committees, the Urban Development Institute, Together Against Poverty Society, and members of the Mayor's Task Force on Housing Affordability on the proposed

zoning amendments through a stakeholder email with an opportunity to comment at a public hearing

ii. the general public through newspaper notices and the City's website and social media channels, with an opportunity for comment up to and at the public hearing.

4. That the zoning amendment include the requirement for an operable window in each unit.

CARRIED UANIMOUSLY 16/COTW

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of September 15, 2016

To:	Committee of the Whole	**Date:**	September 1, 2016
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	**Victoria Housing Strategy Implementation - Removing Minimum Unit Sizes**		

RECOMMENDATION

That Council direct staff to:

1. Prepare amendments to the *Zoning Regulation Bylaw* to remove minimum residential unit size regulations and add new regulations that address liveability in the following zones:

    i. R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
    ii. R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
    iii. R3-G Zone, Garden Apartment District
    iv. R-78 Zone, McClure Street Multiple Dwelling District
    v. R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
    vi. R3-L Zone, Low Density Multiple Dwelling District
    vii. R3-1 Zone, Multiple Dwelling District
    viii. R3-2 Zone, Multiple Dwelling District
    ix. R3-B Zone, Bonus Multiple Dwelling District
    x. R3-H Zone, High Density Multiple Dwelling District
    xi. R3-S Zone, Special Multiple Dwelling District
    xii. R3-A1 Zone, Low Profile Multiple Dwelling District
    xiii. R3-A2 Zone, Low Profile Multiple Dwelling District
    xiv. CR-3 Zone, Commercial Residential Apartment District
    xv. CR-3M Zone, Commercial Residential Apartment Modified District
    xvi. CR-G Zone, Commercial Residential Gorge Road District
    xvii. C1-NM Zone, Neighbourhood (Modified) Shopping District
    xviii. CR-4 Zone, Upper Cook Commercial Residential District
    xix. CR-NP Zone, North Park Commercial Residential District
    xx. CR-4-OB Zone, Oak Bay Commercial Residential District
    xxi. T-6 Zone, James Bay Transient Accommodation District
    xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

2. That staff bring forward the proposed zoning amendments for consideration of first and second readings in the Fall of 2016.

3. That the City notify:

   i. the Community Association Land Use Committees, the Urban Development Institute, Together Against Poverty Society, and members of the Mayor's Task Force on Housing Affordability on the proposed zoning amendments through a stakeholder email with an opportunity to comment at a public hearing
   ii. the general public through newspaper notices and the City's website and social media channels, with an opportunity for comment up to and at the public hearing.

EXECUTIVE SUMMARY

The purpose of this report is to provide information, analysis and recommendations on an approach to amending the *Zoning Regulation Bylaw* to remove minimum unit size regulations in multi-unit residential zones as part of implementation of the Victoria Housing Strategy, 2016-2025. Removing minimum unit size restrictions will allow developers to create more units of housing within the same buildable area, which has the potential to positively impact affordability if supply is increased.

City staff recommend Council consider removing minimum unit size regulations by amending each affected zone in the *Zoning Regulation Bylaw* as the best approach. There are 22 multi-unit residential and mixed-use zones that contain minimum residential unit sizes that staff recommend for inclusion in this amendment. To maintain liveability, it is also proposed that a new regulation be inserted into these zones that require at least one operable window to ensure small units have access to natural light and air. Please refer to the maps in Attachment 1 to review the properties affected by this change.

Should Council agree with this approach, staff will prepare the amendment bylaws to bring forward to Council for consideration of readings in the Fall of 2016. Staff will also communicate these proposed changes by notifying the Community Association Land Use Committees (CALUC), the Urban Development Institute (UDI), Together Against Poverty Society (TAPS), as well as members of the Mayor's Housing Affordability Task Force through a stakeholder email; the general public through newspaper notices, information on the City's website and social media channels, and inviting input prior to and at a Public Hearing.

PURPOSE

The purpose of this report is to provide information, analysis and recommendations on an approach to amending the *Zoning Regulation Bylaw* to remove minimum unit size regulations in city-wide multi-unit residential zones as directed in the Victoria Housing Strategy, 2016-2025.

BACKGROUND

The Victoria Housing Strategy

A key objective in Victoria's Strategic Plan, 2015 - 2018, is to Make Victoria More Affordable. The Mayor's Task Force on Housing Affordability was assembled to strategize how to activate that objective and the end result was the implementation of the Victoria Housing Strategy 2016-2025, which was approved by Council on June 16, 2016.

The Housing Strategy contains three broad Strategic Directions to improve housing affordability:

1. **Increase Supply** of attainable housing for low to moderate income households
2. **Encourage Diversity** of housing types, tenures, and prices across the City and within neighbourhoods
3. **Build Awareness** and partnerships for affordable housing through communication, education and advocacy

This report provides recommendations on how to implement a supporting action of Strategic Direction 1, Increase Supply: "Remove minimum unit size regulations in multi-unit residential zones."

ISSUES & ANALYSIS

More affordable housing stock is critically needed in the city of Victoria. Beyond the fiscal challenges of building this type of housing, there are a number of rules and regulations within the City's bylaws that may be acting as further deterrents to developing affordable housing. While the ability to supplement funding falls largely outside the City's purview, the relaxing of restrictions is something the City can control, and a number of actions to this end have been identified in the Victoria Housing Strategy. One of the most easily implemented actions the City can take is removing minimum unit size requirements in zoning to encourage the creation of more units for minimal cost increases, thus translating to more affordability.

Currently, minimum unit sizes are mandated in various forms throughout City zoning except in the Downtown core. City staff did a scan of all multi-unit residential zones outside of Downtown and found 22 zones where minimum unit sizes for multi-unit residential use are indicated in the zoning and could be amended relatively simply. For the purposes of efficiently enacting this action, the minimum unit sizes associated with secondary suites and house conversions are not being considered for this change as evaluations of those regulations have been identified as separate actions in the Housing Strategy.

Zones that indicate minimum unit sizes for multi-unit residential uses are as follows:

Zone		Minimum Floor Area m^2
1. R3-AM-1	Mid-Rise Multiple Dwelling District	33
2. R3-AM-2	Mid-Rise Multiple Dwelling District	33
3. R3-G	Garden Apartment District	33.5
4. R-78	McClure Street Multiple Dwelling District	33
5. R3-A-SC	Low Profile Multiple Dwelling (Senior Citizen) District	28
6. R3-L	Low Density Multiple Dwelling District	46
7. R3-1	Multiple Dwelling District	33
8. R3-2	Multiple Dwelling District	33
9. R3-B	Bonus Multiple Dwelling District	33
10. R3-H	High Density Multiple Dwelling District	33
11. R3-S	Special Multiple Dwelling District	74
12. R3-A1	Low Profile Multiple Dwelling District	33

Zone		Minimum Floor Area m^2
13. R3-A2	Low Profile Multiple Dwelling District	33
14. CR-3	Commercial Residential Apartment District	33
15. CR-3M	Commercial Residential Apartment Modified District	33
16. CR-G	Commercial Residential Gorge Road District	76
17. C1-NM	Neighbourhood (Modified) Shopping District	33
18. CR-4	Upper Cook Commercial Residential District	33
19. CR-NP	North Park Commercial Residential District	33
20. CR-4-OB	Oak Bay Commercial Residential District	33
21. T-6	James Bay Transient Accommodation District	33
22. CHP-R3	Cathedral Hill Precinct (Multiple Dwelling) District	37

Please refer to Attachment 1 for a map showing the extent of properties within these zones that would be affected by this proposed amendment.

Other Jurisdictions

City staff consulted with a sample of municipalities across Vancouver Island, within other Canadian provinces and the United States to determine if there are other jurisdictions that have removed minimum unit sizes from zoning. What staff learned was that no municipality is like another; each have different ways of regulating unit sizes and liveability, and regulations are often tailored to the specific needs of that city. Some municipalities have no minimum unit sizes identified in zoning but make reference to, or rely on, building code requirements that contain size regulations (e.g. Toronto; Portland). Others have a variety of minimum unit sizes depending on the local area and different rules for different types of housing. For example, Vancouver has a minimum unit size for apartments that can be relaxed for projects that will be operated as social housing or secured market rental. Some municipalities noted that their policies were changing, or that updates to outdated zoning regulations and policies are needed as they may not be sufficiently facilitating housing affordability.

Given the variety of ways unit sizes are regulated across municipalities, and that each market has different preferences or levels of acceptance, it is challenging to determine what would be considered best practice in regulating the minimum size of living spaces. Therefore the recommended approach to remove minimum unit sizes in the identified zones is based on Victoria's own experience and practice Downtown, where no minimum unit sizes exist in zoning. Smaller units have already been established and occupied Downtown and are contributing to the diversity of housing options in Victoria without major issues. As a supporting action it is also recommended that consideration for the liveability and quality of units be included in the bylaw amendments as noted below.

Liveability

The development of smaller multi-unit housing raises considerations for liveability, including access to natural light, air, privacy and proximity. Current building code has some regulations to mitigate these concerns such as the inclusion of a closet, adequate ventilation in living units, and a window, though in some cases, bedrooms are not required to have windows under the

building code if the rooms are sprinklered. The *Zoning Regulation Bylaw,* and some development permit area guidelines, deal with liveability in a limited manner through building setbacks. While to some degree liveability is subjective and challenging to measure, staff recommend that a new regulation related to maintaining liveability be inserted into the zones to align with the removal of minimum unit size requirements. A new regulation to require at least one operable window per residential unit could be required, and other liveability matters dealt with during development permit processes.

Parking Regulations Associated with Residential Units

The proposed zoning amendments alone will not fully remove barriers to the achievement of affordable housing. The *Zoning Regulation Bylaw* Schedule 'C' - Off-Street Parking Regulations requires 1.1 to 1.5 parking stalls per residential unit (depending on the zone) which would need to be provided on site or would require a variance process if relaxations were sought; however, the City is in the process of updating Schedule 'C' and examining appropriate parking requirements associated with affordable housing units. In conjunction with potential changes to parking requirements, these proposed zoning amendments to remove minimum unit sizes is the first step towards removing the barrier, and will work together to encourage additional housing supply and diversity.

Bylaw Amendment

To enact this change, staff will revise each of the indicated zones by removing language pertaining to minimum unit sizes and insert in its place recommended language on liveability (specifically the inclusion of at least one operable window per residential unit as described above).

Public Engagement on Proposed Amendments

The Mayor's Task Force on Housing Affordability invited the community to provide feedback on draft recommendations, and sought input through a workshop held June 1, 2015 co-hosted by the City of Victoria, the Urban Development Institute, and the Together Against Poverty Society. The workshop was also webcast live.

Should Council direct staff to proceed with these amendments, the above groups as well as the general public, will be informed of the changes and given opportunity to comment up to and at the Public Hearing.

IMPACTS

2015 - 2018 Strategic Plan

This action is a part of the Victoria Housing Strategy, 2016-2025, which was created to fulfill Objective 6 in the Strategic Plan: Make Victoria More Affordable. This action also exemplifies Objective 1, Innovate and Lead.

Impacts to Financial Plan

This action will have no direct impact on the Financial Plan and can be undertaken using existing staff resources.

Official Community Plan Consistency Statement

This action is consistent with the policy directions of "Land Management and Development" and "Housing and Homelessness" in the *Official Community Plan*.

CONCLUSIONS

Removing minimum unit size requirements in multi-unit residential zones is an easily achievable action that could improve affordability of new housing developments. Its implementation will mark the first of a number of actions identified on the Victoria Housing Strategy to be completed as planned and on schedule, with the long range result being that the City is better situated to achieve housing affordability for owners and renters.

Respectfully submitted,

Lindsay Milburn
Senior Planner - Housing Policy
Community Planning

Jonathan Tinney
Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

Date: September 9, 2016

List of Attachments

- Attachment 1: Zoning maps showing extent of affected zones.

Zones Proposed for Amendment

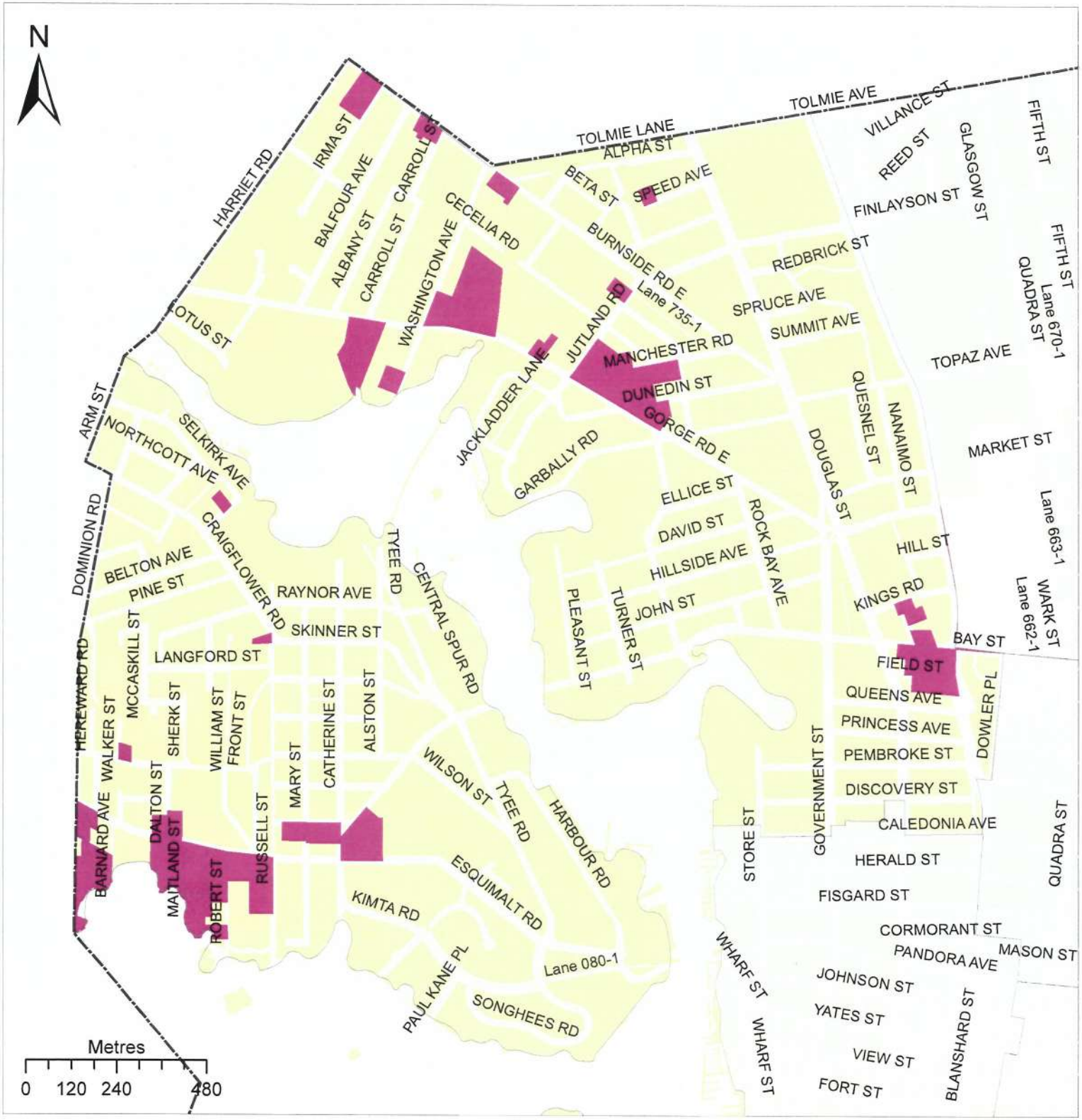
City of Victoria

Legend

- City Boundary
- Zones with Multi-Unit Residential

Zones Proposed for Amendment

Victoria West and Burnside Gorge



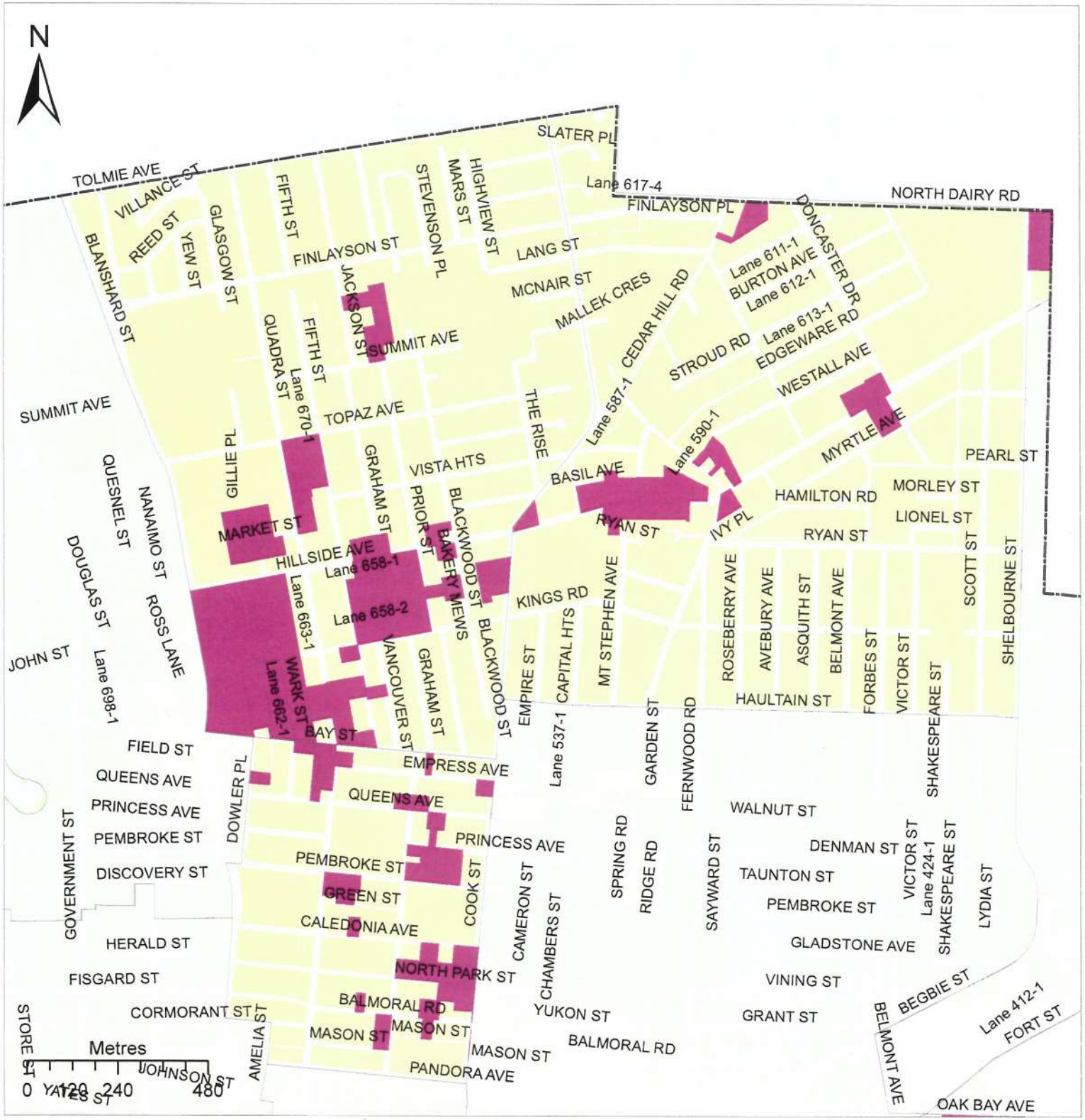
Legend

City Boundary

Zones with Multi-Unit Residential

Zones Proposed for Amendment

Hillside Quadra, Oaklands and North Park

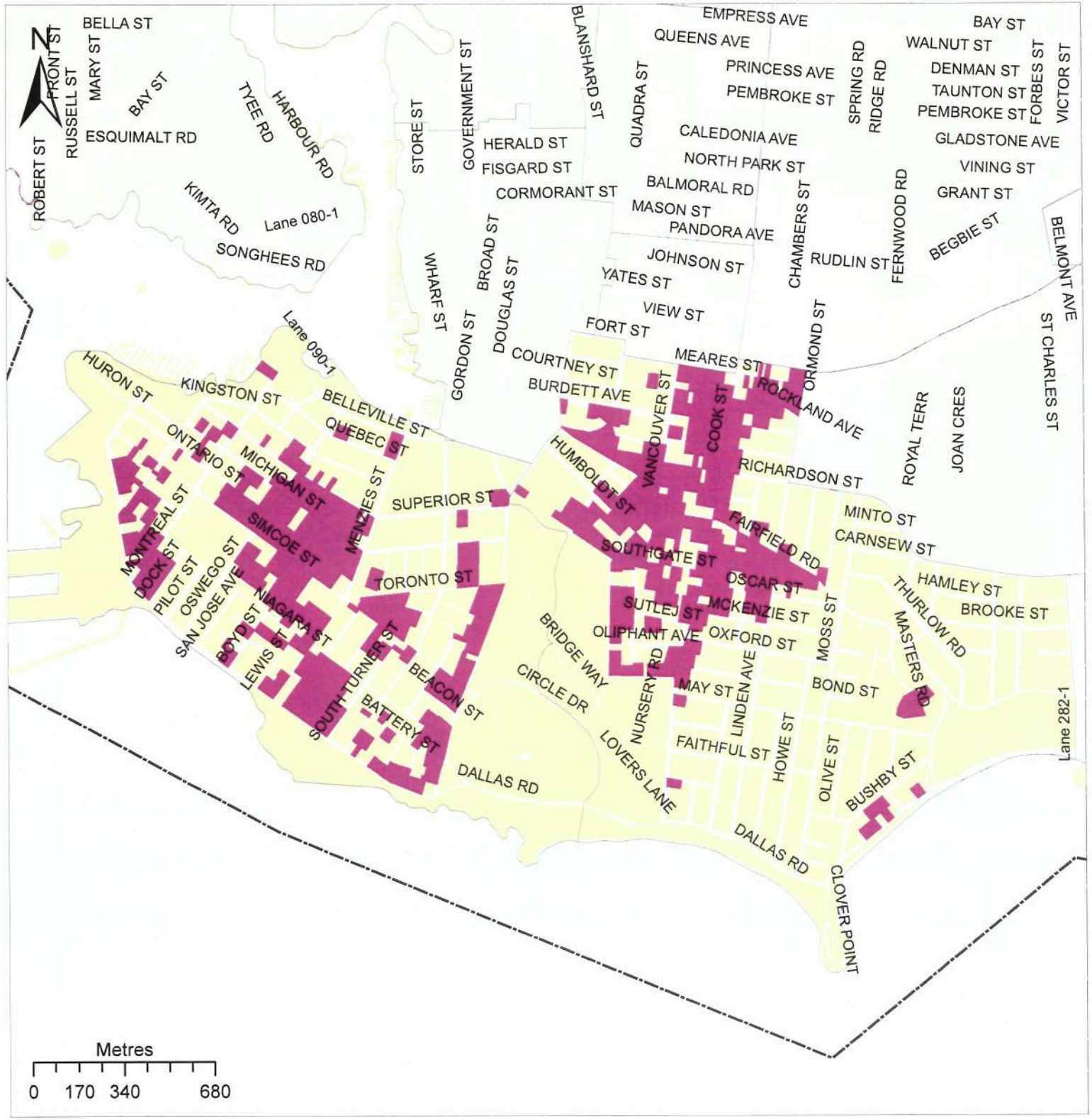


Legend

- City Boundary
- Zones with Multi-Unit Residential

Zones Proposed for Amendment

James Bay and Fairfield



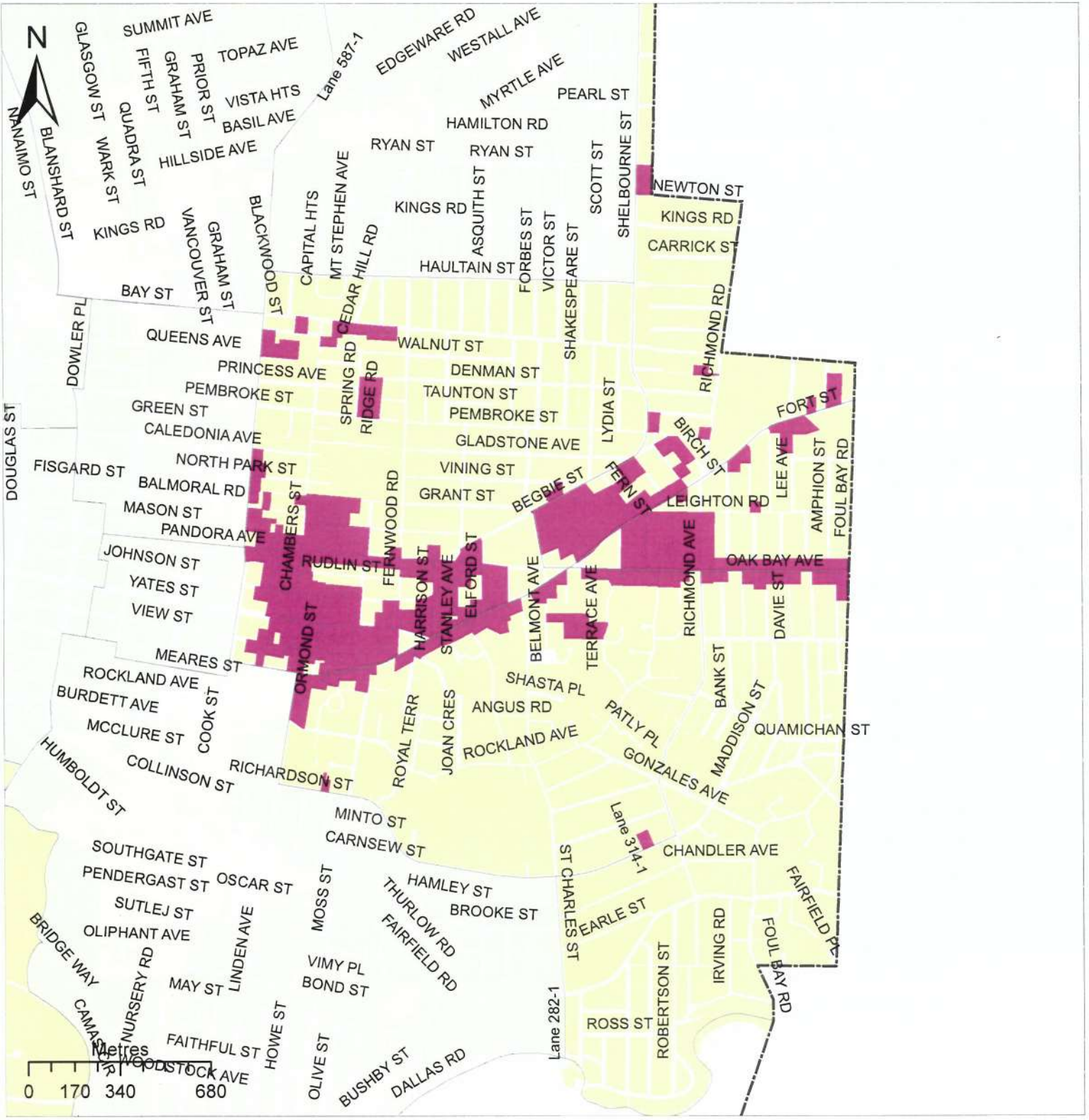
Legend

City Boundary

Zones with Multi-Unit Residential

Zones Proposed for Amendment

Fernwood, Jubilee
Rockland, and Gonzales



Legend

City Boundary

Zones with Multi-Unit Residential

Pamela Martin

Subject: FW: Mayor and Council email

-----Original Message-----
From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Tuesday, September 13, 2016 9:43 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Mayor and Council email

From: Elizabeth Conway
Email : [redacted]
Reference :
Daytime Phone : [redacted]
Dear Mayor Helps and Council,

The new minimum square footage
requirement you are proposing are not healthy for human beings and do not equal "
affordable " housing in any city. People need space to breath, particularly in their homes!

Mayor Helps said that condominiums "allow for more units " in a given building, but that benefits developers, not the people living in these units and YES, it does force families out of the downtown area.

It seems to me that you're just trying to satisfy developers greed and to create revenue for the ridiculous excess of restaurants downtown.

In my opinion, the minimum size for all housing should be 500 Sq. Ft. , with the smaller 350 Sq. Ft grandfathered in place.

Lastly, it also seems to me that new, unwanted rabbit hutch size, will suit some of Mayor Helps friends who it is rumoured wish to turn the low cost housing on 705-711 Johnson Street, into tiny condos.

Great! Mayor Helps her friends make money and makes 43 men homeless!

I'm ashamed to be a Victorian.

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[redacted]

Pamela Martin

Subject: FW: 250 FOOT APARTMENTS

From: [redacted]
Sent: Tuesday, September 13, 2016 10:16 AM
To: Councillors <Councillors@victoria.ca>
Subject: 250 FOOT APARTMENTS

Good Morning:

Micro apartments could work. However, if sold as condos such units are likely to be prime candidates for AIRBNB and/or occasional occupation-travelling business persons and snow birds. Perhaps they could be built as rentals, if we are truly looking to improve affordability in a city where over 60% are renters.

As for reducing parking requirements, this is long over due. At up to $50,000 to build an underground parking stall this is a burden on housing costs that no longer reflects reality. Much of such parking infrastructure will some become "stranded assets". For example, recent parking studies in the Cook Street Village area shows that car ownership is in the range of .9 per household, not the 1.4 required under current bylaws. Perhaps this should be job #1 in terms of improving affordability across the city.

Yours truly,

Ken Roueche
47 Howe Street
Victoria V8V 4K2
Canada

Tel: [redacted]