



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

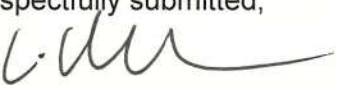
xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

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

Att.


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