
VANCOUVER CHARTER AMENDMENT ACT, 1997**CHAPTER 44***Assented to July 28, 1997*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1 The Vancouver Charter, S.B.C. 1953, c. 55, is amended by adding the following section:

Single room accommodation permits

193D (1) In this section:

“**conversion**” means conversion as defined under subsection (3) (d);

“**delegate**” means a delegate under subsection (3) (k);

“**demolition**” means demolition as defined under subsection (3) (d);

“**permit**” means a permit required under subsection (3) (e);

“**low cost accommodation**” means accommodation that is generally affordable to persons who reside in single room accommodation;

“**single room accommodation**” means property designated as single room accommodation under subsection (3) (b).

(2) The Council may, by by-law, regulate the conversion and demolition of single room accommodation.

(3) Without limiting subsection (2), a by-law under this section may do one or more of the following:

(a) apply to all or part of the city, as specified in the by-law;

(b) designate, by specific designation or description, all, part or proportions of buildings as single room accommodation for the purposes of the by-law;

(c) require that, in each building that has been subject to a designation under the by-law, a notice of the designation be posted, with the content and in the manner specified in the by-law;

(d) define for the purposes of the by-law

(i) what change in the form of occupancy of single room accommodation or other changes constitutes conversion, and

(ii) what constitutes demolition of single room accommodation;

(e) prohibit a person from undertaking the conversion or demolition of single room accommodation without first having obtained a permit under this section approving that conversion or demolition;

(f) provide that a permit may be limited in time;

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- (g) establish application fees for permits, which may be different for different values, types and extent of conversion or demolition;
 - (h) establish amounts that may be required under subsection (5) (d), which may be different for types or extent of conversion or demolition;
 - (i) establish conditions for the purposes of subsection (5) (g);
 - (j) provide that contravention of a condition specified under subsection (5) constitutes a violation of the applicable by-law under this section and renders the permit holder liable to the penalties which may be provided in the by-law;
 - (k) delegate to the Director of Planning, to any other official of the city designated in the by-law or to any board composed of officials of the city, the powers and duties of Council under this section in relation to the approval or refusal of permits;
 - (l) provide for the reconsideration by Council, or a committee of Council, of a decision of a delegate under this section and establish the bases and procedures for such a reconsideration;
 - (m) establish exemptions from the by-law for classes of buildings and classes of persons.
- (4) Before adopting a by-law under this section, the Council must
- (a) publish, in at least 2 issues of a newspaper circulating in the city, notice of Council's intention to adopt the by-law, including identification of the property to be designated as single room accommodation by the by-law, and
 - (b) provide an opportunity for persons to make their views respecting the by-law known to the Council.
- (5) The Council or delegate may specify one or more of the following as conditions of a permit or of approving a permit:
- (a) that alternate accommodation, not designated under subsection (3) (b) as single room accommodation at the time of the permit application, be provided in the same area at a similar rent;
 - (b) that comparable or better accommodation, either in accommodation required under paragraph (a) or in other accommodation at a similar rent in the same area, be made available to the tenants being displaced by the conversion or demolition;
 - (c) that the applicant enter into a housing agreement under section 565.2;
 - (d) that an amount specified under subsection (3) (h) be paid to the city for deposit into a reserve fund for the provision of accommodation to replace the accommodation that is to be converted or demolished under the permit;
 - (e) that the conversion or demolition be in accordance with the sequence and timing specified in the permit;

- (f) that the applicant provide a specified amount of security, in a form satisfactory to the Council or delegate, to guarantee the performance of the other conditions of the permit;
 - (g) other conditions specified by by-law under subsection (3) (i);
 - (h) other conditions that the Council or delegate considers will encourage the supply of low cost accommodation.
- (6) In determining whether to approve a permit, the Council or delegate must consider all of the following:
 - (a) the accommodation that will be available to the tenants affected by the conversion or demolition;
 - (b) the supply of low cost accommodation in the part of the city to which the by-law applies and in other parts of the city;
 - (c) the condition of the building that is the subject of the permit;
 - (d) the need to replace or improve, over time, single room accommodation in the city.
- (7) In determining whether to approve a permit, the Council or delegate may also consider any other matters that the Council or delegate considers relevant.
- (8) Money paid under subsection (5) (d) must be deposited into a reserve fund referred to in that subsection and may only be used for the purpose referred to in that subsection.
- (9) Section 598 (3) to (7) applies in relation to security required under subsection (5) (f) of this section.
- (10) If a permit is approved under this section in relation to a demolition, a development permit under section 565A for the same demolition may not be refused on the basis of a matter considered in making the decision under this section.
- (11) A designation as single room accommodation may apply to property that, in the opinion of Council, could have been designated as single room accommodation on July 11, 1997 if the Council had had the authority to make that designation on that date.
- (12) Section 569 (1) applies in relation to the exercise of any power or duty under this section by the Council or a delegate, or by any inspector, official or board of the city.

2 Section 523D is amended by adding the following subsection:

- (11.1) If an amount has been paid under section 193D (5) (d) in relation to development of a property, that amount must be deducted from the development cost levy in relation to the development of the property otherwise payable under this section for Replacement Housing.

Section 3

3 *Section 565A is amended by adding the following paragraph:*

- (d.2) providing that the failure to obtain a permit required under section 193D in relation to the same property is a basis for refusing to issue a development permit; .

Queen's Printer for British Columbia©
Victoria, 1997