

Engagement Summary Report

Regulation Redesign

Amendments to Simplify Height Regulations

May 2021

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1.0 EXECUTIVE SUMMARY

Regulation Redesign is a priority project in the City's 2020 Corporate Plan (Goal 2B – Build and Protect the Vancouver Economy) to support the Vancouver economy by improving the regulatory framework. It is a project to simplify Vancouver's land use regulations, policies, and online tools in order to improve and streamline permit processing.

One of the outcomes of Regulation Redesign will be a reformatted Zoning and Development By-law (By-law) that is user-friendly, more accessible and easier to use. This work includes simplifying and clarifying By-law regulations and improving their consistency. Amendments to update and consolidate regulations will be brought forward in a report to Council in spring 2021 and in the new By-law in summer 2022.

Building on comments and ideas identified at a workshop in June 2019 with the development and building industry, other businesses and non-profit organizations, and in subsequent focus groups with the Regulation Redesign External Advisory Group and staff on floor area and building height regulations, the team explored options to clarify and make height regulations easier to understand.

These options were presented for broader community feedback in March 2021 and the feedback received is summarized in this report.

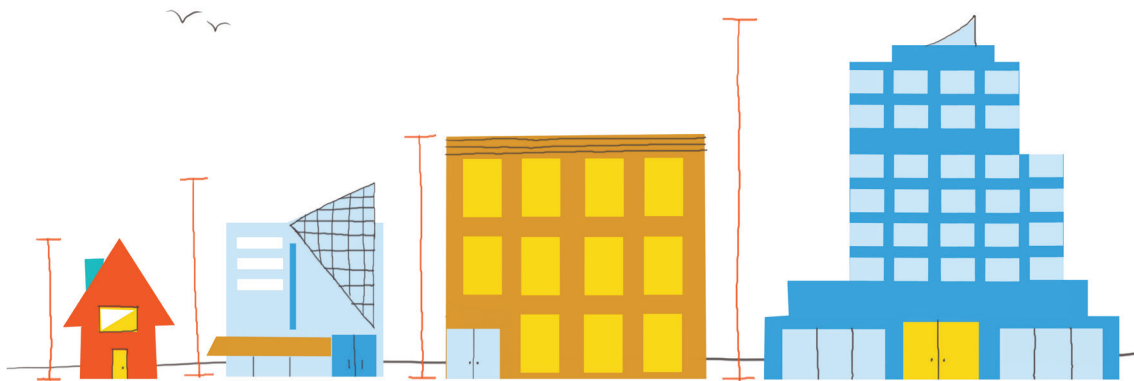
Methodology

Due to public health orders restricting in-person gatherings during the COVID-19 pandemic, public engagement was conducted online. From March 1st to March 31st, proposed amendments to simplify height regulations were shared through a virtual open house using the Shape Your City (SYC) platform. Opportunities for feedback were available through an online comment form. Overall, the SYC page received 521 visitors and 26 responses to the comment form.

What We Heard

Participants responded to four open ended questions on proposed new definitions for “building height” and “decorative roof”, a revised definition for “base surface” and proposed amendments in Section 10.18 Height of Building to modernize language and update terms. Proposed amendments also included new provisions to provide more flexibility for various rooftop features. Overall, the proposed changes were generally well received.

Some of the comments received noted the challenges of calculating height on sloping sites, the complexity of interpolation (method used to determine base surface) and the use of technical terms in the definitions. It was also noted that providing diagrams would assist with understanding the regulations. Other feedback called for either more or less flexibility for rooftop features. These comments have been used to further refine the proposed definitions and regulations.



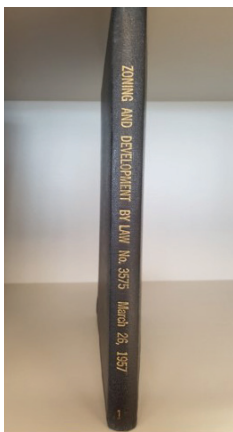
2.0 ABOUT REGULATION REDESIGN

Regulation Redesign is a priority project in the City's 2020 Corporate Plan (Goal 2B - Build and Protect the Vancouver Economy) to support the Vancouver economy by improving the regulatory framework. It is a project to simplify Vancouver's land use regulations, policies, and online tools in order to improve and streamline permit processing.

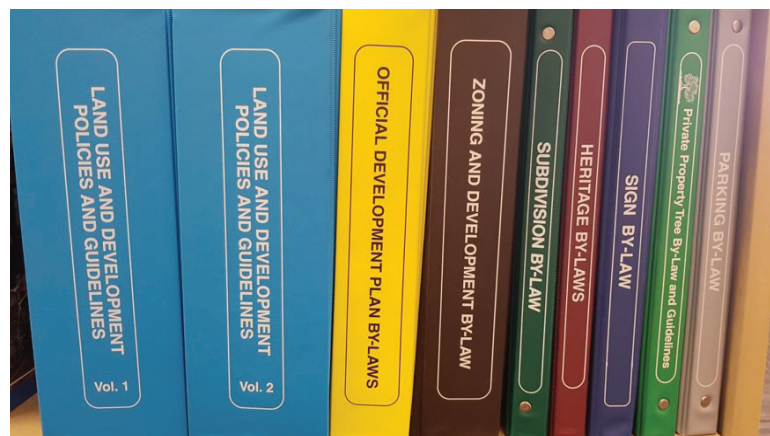
2.1 Project Context

The current Zoning and Development By-law was adopted by City Council in 1956. It has been amended extensively but a comprehensive review has never been undertaken. To implement the City's goals and priorities, the By-law has grown exponentially more complex over the years. Some of the more than 8,000 amendments to the original 1956 By-law have introduced new terminology or regulations that have resulted in inconsistencies with other parts of the By-law or with other City By-laws.

The growing complexity of the City's land use regulations, policies and guidelines has made it difficult to find and understand information, which results in a complicated permit review process and longer review times.



1956



2019

2.2 Objectives of Regulation Redesign

The key objectives of the project are to:

- Simplify and clarify land use regulations to make them easier to understand and implement
- Modernize regulations and language, and to improve the format of land use documents to make them more user-friendly
- Improve the consistency of land use regulations and policies
- Improve communication about land use tools
- Establish a robust and enduring land use framework

This work is aligned with other projects to improve review processes, including the Development Process Redesign project, and service improvements being coordinated by the Development, Buildings and Licensing Department. Regulation Redesign will work on simplifying and clarifying regulations and improving their consistency. The project will not focus on substantive zoning or policy amendments, however will work closely with staff teams leading that work to ensure co-ordination.



2.3 Project Progress to Date

Spring 2018 to Winter 2019

Project Launch

This phase focused on engagement with the development and building industry, businesses and non-profit organizations, the general public, and staff to understand the issues, gather ideas and develop options to simplify and clarify the City's land use regulations and policies.

Key outcomes of this phase included:

- Reviewing regulatory framework and best practices
- Holding public engagement events such as listening sessions, kiosks at the Development and Building Services Centre, stakeholder roundtables, and pop-up events in the community to seek feedback to identify issues with land use regulations and policies and ideas to address them
- Reporting to Council with first round of regulatory amendments to clarify approval authorities, update regulations, and repeal outdated land use documents

Photo: Project Launch Stakeholder Roundtable, November 2018



Winter 2019 to Spring 2020

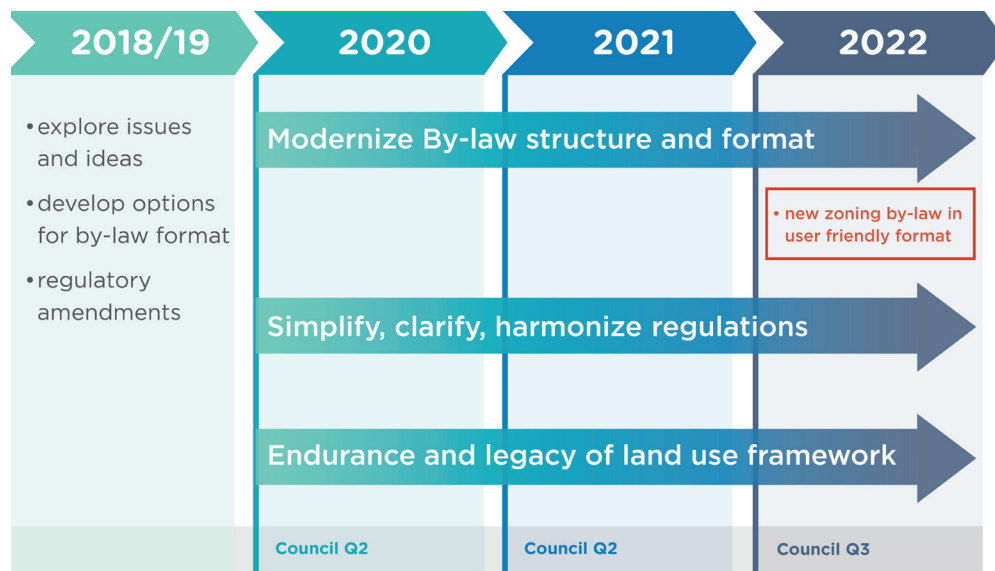
Develop Options and Directions

Key issues and ideas identified in the launch phase informed the development of strategic options and directions for prioritizing the work to simplify and modernize land use regulations and framework. This included the creation of three key streams of work for 2020 – 2022: modernizing the by-law structure and format, simplifying regulations, and clarifying the land use framework (see Figure 1: Project Timeline 2020 – 2022). Stakeholder engagement in this stage provided input on the development and testing of options.

Work completed in this phase included:

- Updating Sections 2, 10, 11 of the Zoning and Development By-law into a new modernized user-friendly format
- Simplifying regulations, removing gendered terms, and repealing outdated land use documents
- Clarifying land use framework through the creation of an online zoning and land use document library, new document naming conventions, and a new user guide for the By-law

Figure 1: Project timeline 2020 – 2022



Spring 2020 to Fall 2022

Further Develop and Implement Solutions

The final phase of the project focuses on completing the final deliverables for each of the three work streams including a newly formatted, up-to-date Zoning and Development By-law that is more user-friendly and easier to understand.

Simplify, clarify, harmonize regulations work stream

This report focuses on the ‘simplify, clarify, harmonize regulations’ work stream, specifically on public engagement with users of the Zoning and Development By-law for feedback on proposed regulatory amendments to simplify height regulations.

Building on what we heard, staff are exploring options to update and consolidate regulations for consistency across all zoning districts. The proposed amendments to simplify height regulations are part of this work and are incremental changes toward simpler zoning regulations that are easier to apply.

Simpler, clearer regulations will provide more certainty, improve decision-making and accelerate permit review.

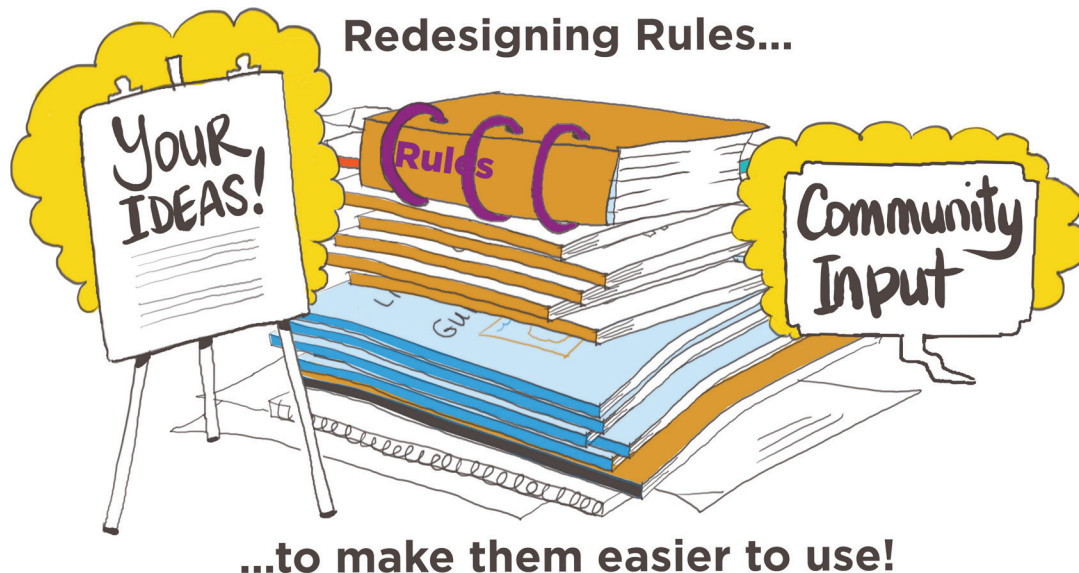
3.0 ENGAGEMENT PROCESS

3.1 What We Did

Building on comments and ideas identified at a workshop in June 2019 with the development and building industry, businesses and non-profit organizations, and in subsequent focus groups with the Regulation Redesign External Advisory Group and staff on floor area and building height regulations, the team explored options to clarify and make height regulations easier to understand.

This resulted in the following proposed amendments to simplify and clarify height regulations:

- Create new definitions for “height” and “decorative roof”
- Update the definition for “base surface”
- Update section 10.18 using more modern language and providing more flexibility for roof deck access and rooftop features, and clarifying decorative roof regulations



The proposed amendments were presented for broad community feedback in March 2021 through the Shape Your City online platform, as well as making use of the following notification and engagement methods.

Notification

Industry stakeholders and the public were notified about public engagement opportunities using multiple notification methods. All notification included a link to the project website (vancouver.ca/RegRedesign) and the email address (RegRedesign@vancouver.ca).



To notify industry stakeholders and the public of the proposed height amendments, two notification emails were sent to the Regulation Redesign mailing list to provide and share information with their networks about opportunities to participate in the engagement. (282 members).



The invitation to participate was also posted on the Homebuilders Association of Vancouver's (HAVAN) Government Relations Update newsfeed, as well as the Architectural Institute of British Columbia (AIBC) and Urban Development Institute's (UDI) online newsletters.



Information about the engagement period, including ways to participate and engagement materials were posted to the project website, vancouver.ca/RegRedesign and shapeyourcity.ca.

Shape Your City Virtual Open House and Comment Form

The project team consulted with the general public and industry stakeholders from March 1 to March 31, 2021 through an online Shape Your City webpage and comment form.

The Shape Your City webpage included the following information and background material:

- narrated video presentation (with captions);
- redline version of proposed amendments for height regulations;
- summary of the June 2019 stakeholder workshop on ideas to simplify calculating floor area and building height; and
- backgrounder on calculating building height.

Participants were invited to share their feedback on the proposed amendments through the Shape Your City online comment form and by sending comments to the project email inbox regredesign@vancouver.ca. The Shape Your City page received 521 unique visitors, 26 responses to the comment form and 1 email response. A summary of comment form responses can be found in Appendix B.

Information Session

On March 9, 2021 we hosted a virtual information session to 39 Mandarin and Cantonese speaking small-scale development builders and designers. With Mandarin and Cantonese interpretation, we presented project updates and invited participants to learn more about the proposed height amendments on the Shape Your City webpage and complete the online comment form. Material was translated into Chinese.

Newsletter

A project update newsletter highlighting engagement on proposed height amendments was translated into Punjabi and Traditional and Simplified Chinese. The translated newsletters were distributed via community and industry stakeholder allies' mailing lists and made available on the Shape Your City webpage at shapeyourcity.ca.

3.2 What We Heard

This section provides a summary of the input we received through the comment form and email submissions. Verbatim responses are recorded in Appendix B, as well as a summary of demographic questions.

Question 1. What are your thoughts about the proposed new definition for height? Are there any specific considerations that you would suggest?

There was general support for the proposed new height definition, with some respondents citing it is a succinct definition that seems clear and reasonable and others suggesting further amendments to simplify wording and to simplify the method for calculating height. Others recommended providing examples in the definition and to include illustrations to explain how height is calculated for unique sites. Respondents also suggested providing more clarification on the use of interpolation for determining the location on the base surface from which height is measured and specifying what the highest point of a building is (e.g. top of parapet, roof, mechanical equipment).

Question 2. What are your thoughts about the proposed changes to the definition of base surface?

There was general support for the updated definition for base surface. Some respondents indicated the new definition is clearer and appreciated the use of illustrations, diagrams and tables to help explain the term. Others suggested wording changes to further simplify the definition and clarify terms. Again, there was interest in clarifying interpolation and types of grades referred to in the definition and how unique site circumstances are addressed.

Question 3. What are your thoughts about the proposed new definition for decorative roof?

There was general support for the proposed new definition for decorative roof, with some mentioning it is a very good idea to define decorative roof. Others provided suggestions to clarify the definition to either broaden or limit opportunities for decorative roofs. For example, allow decorative roofs on lower buildings or for roof-top features other than just coverings for mechanical appurtenances, or limit decorative roofs to a proportion of the building or not allow at all.

Question 4. What are your comments on the proposed amendments to update Section 10.18 height regulations (to modernize language and update terms, to provide more flexibility for rooftop amenity access and to clarify decorative roof regulations)?

More than half of the 18 responses received indicated support for the proposed changes, citing “the amendments are clearer than before, it gives more specific examples”. Suggestions for further amendments included removing the 10% of roof area restriction, further simplifying the technical terms used in the regulations, and not requiring approval for height variations by the Director of Planning or Development Permit Board.

Question 5. Other comments on what we’re working on to improve clarity and consistency of height regulations

Comments included the need to provide more clarity on how height is calculated for unique site circumstances and more flexibility to encourage more green rooftop designs and to improve rooftop aesthetics. One respondent suggested strengthening shadowing regulations to limit shadowing in public places, especially playgrounds, plazas and restaurant patios as a direct response to the Covid-19 pandemic, which has highlighted the importance of public spaces. Respondents appreciated the addition of illustrations and diagrams, citing graphics and tables help provide more clarity and understanding as they interpret complex regulations.

4.0 NEXT STEPS

This report provides a summary of the input received from the virtual Shape Your City open house and online comment forms over the period of March 1st to March 31st, 2021. The purpose of the virtual open house was to gather feedback from industry stakeholders and the public who use the Zoning and Development By-law on proposed changes to simplify and clarify height regulations. Verbatim results of comment form responses are available in Appendix B.

Staff will review and adjust the proposed amendments to height regulations based on what we heard. In June 2021, staff will bring forward proposed amendments on height regulations for Council's consideration as part of a report referral to public hearing.

The Council report will be available on Shape Your City and on the project webpage at vancouver.ca/RegRedesign. Please visit the project webpage for opportunities to engage and stay up-to-date on the project.

Appendix A

Comment Form

Comment form

Speak another language? Use the Google Translate feature at the top right of this page, or call 3-1-1 to request an interpreter.

Watch the [video](#) to learn more about the proposed amendments to simplify and update height regulations. Share your thoughts by completing the comment form or ask a question on the "Ask a question" tab. Your input will help to create clearer and more effective regulations. **Comment form closes March 31, 2021.**

Resources for more information on the proposed amendments and details on previous public consultation on this topic:

- [Presentation slides: Proposed amendments for height regulations](#)
- [Redline version of proposed amendments for height regulations](#)
- [Summary of workshop on calculating floor area and building height \(June 2019\)](#)
- [Backgrounder on calculating building height](#)

All fields marked with an asterisk (*) are required.

Proposed Amendments to Simplify Height Regulations

Regulation Redesign is working on simplifying and clarifying land use regulations to make them easier to understand and implement.

We're proposing new definitions in Section 2 for "height" and "decorative roof", and to update the definition for "base surface". We're also proposing amendments to Section 10.18 to modernize language and update terms, to provide more flexibility for rooftop amenity spaces and access, and to clarify decorative roof regulations.

1. **Height** is currently not defined in the Zoning and Development By-law. We're proposing the following definition:

"The height of a building must, unless otherwise specified in a district schedule to this by-law, be measured as the vertical distance that the building extends above the base surface. The elevation at that point on the base surface directly beneath the highest point (or points) of the building are determined by interpolation. Height requirements in district schedules may also include limitations on the permitted number of storeys and/or building envelope."

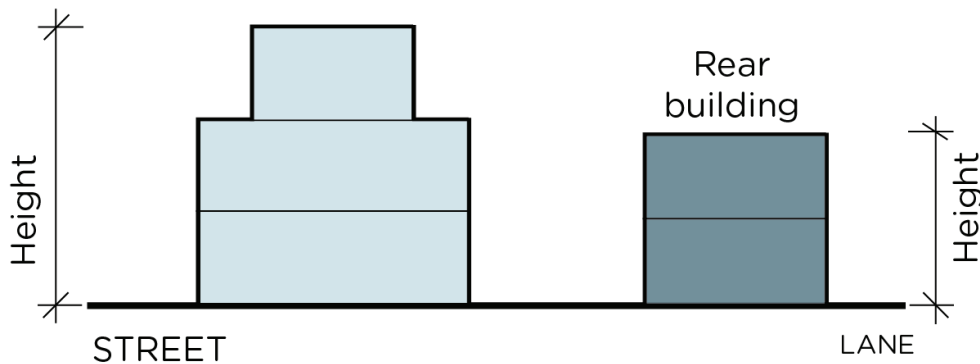


Illustration of height measurement

What are your thoughts about the proposed new definition for **height**? Are there any specific considerations that you would suggest?

Please add your comment here...

2. **Base surface** is currently defined in the Zoning and Development By-law as:

"That hypothetical surface determined by joining the official established building grades at all corners of the site, provided however that where official established building grades cannot be obtained through application to the City Engineer, existing grades shall be used. For the purpose of measuring the height of a building at any point, the elevation at that point on the base surface shall be determined by interpolating from the official established building grades or, where official established building grades cannot be obtained, from existing grades."

We're proposing to the following definition for **base surface**:

"The hypothetical surface determined by joining the official established building grades at all corners of the site, provided that where official building grades cannot be obtained through application to the City Engineer, or where the official established building grades are found to be incompatible with grades on adjacent sites, existing grades may be used to determine the base surface."

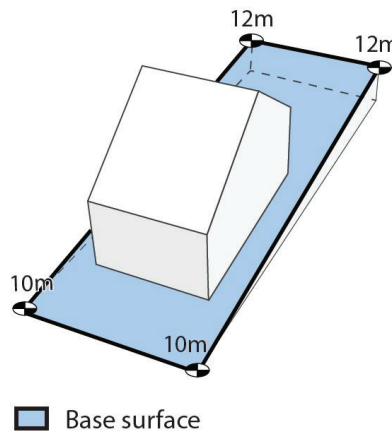


Illustration of base surface

What are your thoughts about the proposed changes to the definition of **base surface**?

Please add your comment here...

3. **Decorative roof** is currently not defined in the Zoning and Development By-law. We're proposing the following definition:

"An architecturally designed roof element applied to the top of buildings higher than 30.5m that enhances the overall appearance of the building and screens and integrates mechanical appurtenances in an aesthetically appropriate manner, without adding to the floor area otherwise permitted."



Photo of decorative roof by Merrick Architecture

What are your thoughts about the proposed new definition for **decorative roof**?

Please add your comment here...

4. Section 10.18 Height of Building

We're proposing amendments to Section 10.18 to modernize language and update terms, to provide more flexibility for rooftop amenity access, and to clarify decorative roof regulations

Summary of proposed amendments

- Height increases (currently section 10.18.4):
 - remove 1/3 of building width limit (max. 10% of roof area to apply)
 - update language on architectural appurtenances and remove 1.1m height limit
 - add the following features to the list of items that may exceed permitted height:
 - roof-top access structures to a private or shared outdoor amenity space that do not exceed 3.6m in height
 - common roof-top amenity structures contiguous with common outdoor amenity space that do not exceed 3.6 m in height
 - screening material the Director of Planning considers appropriate to reduce visual impacts

Proposed amendments: (see also redline version, p 1-2)

10.18.1 The Director of Planning may permit a greater height than otherwise permitted for the following items if, except for the items set out in subsection (h), they do not in total, cover more than 10% of the roof area on which they are located, as viewed from directly above:

- (a) architectural appurtenances provided no additional floor area is created;
- (b) roof-top access structures to private or shared outdoor amenity space that do not exceed a height of 3.6m.
- (c) common roof-top amenity structures contiguous with common outdoor amenity spaces that do not exceed a height of 3.6m;
- (d) mechanical appurtenances including elevator machine rooms and any screening materials the Director of Planning considers appropriate to reduce visual impacts;

- (e) any required guards, provided the Director of Planning considers the guard materials to be appropriate to reduce visual impacts;
- (f) chimneys;
- (g) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation;
- (h) access and infrastructure required to maintain green roofs or urban agriculture, or roof mounted energy technologies including solar panels and wind turbines; and
- (i) items similar to any of the above, provided that the Director of Planning first considers the effect on siting, massing, views, overlook, shadowing, and noise.

10.18.2 The Development Permit Board may, for any building higher than 30.5 m, permit a decorative roof provided that:

- (a) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
- (b) the roof does not add to the floor area otherwise permitted; and
- (c) the Development Permit Board first considers all applicable policies and guidelines adopted by Council.

What are your comments on the proposed amendments to update Section 10.18 height regulations?

Please add your comment here...

5. Do you have any other comments about what we're working on to improve clarity and consistency of height regulations?

Please add your comment here...

6. How familiar would you say you are with the Zoning and Development By-law? *

- Very familiar
- Somewhat familiar
- Not very familiar
- Not familiar at all

7. Do you live in the City of Vancouver? *

- Yes
- No

8. Do you conduct business in the City of Vancouver? *

- Yes
- No

9. Are you... (check all that apply) *

- An architect or design professional
- A developer
- A homeowner
- A renter
- A business operator or operator
- A non-profit organization owning or operating a space
- A part of the development industry not listed above
- Other (please specify)

10. Which of the following describes your business' primary activity *

- Arts, entertainment and recreation
- Large scale construction
- Small scale construction
- Food services and drinking places
- Information and cultural products (software publishing, film production etc.)

- Manufacturing
- Real estate, rental and leasing
- Religious, social and community organizations
- Retail
- Other (please specify)

11. How did you hear about this survey (check all that apply)

- City of Vancouver website (vancouver.ca)
- Postcard/letter in the mail
- Email distribution list
- Newspaper article
- Poster
- Word of mouth (friends/ family/ through work)
- Shape Your City (shapeyourcity.ca)
- Other website (please specify)
- Newspaper advertisement
- Social media (Facebook, Twitter, Instagram)
- Other (please specify)

Appendix B

Comment form verbatim response and summary

Question 1. What are your thoughts about the proposed new definition for height? Are there any specific considerations that you would suggest?

I believe the province should revoke Vancouver's municipal land use power to regulate heights below 8 storeys. The new definition is fine, but irrelevant.
Definitely in favour of clear height definitions. But feel that the most important aspect is that the first storey should be at grade on at least one plane for true accessibility. Below grade basements create barriers to accessibility. The max height should be raised slightly to reflect a shift away from forcing below grade basements to raising the first floor to help with accessibility.
Interpolation is one of the reasons determining height is so difficult. I have received hand-written notes from COV PC's (who are trying to be helpful) having to explain interpolation. You need to provide a basic, understandable formula for determining the max. height. The definition is 'ok' but you now need to define: base surface, interpolation
It sounds clear. Are there any exceptions/ special cases? Maybe some examples?
I agree with the idea in general but we also need to keep the roof of y'all buildings green in order to avoid tall concrete jungle like feeling we get in areas like Coal Harbour.
Its fine, IMO consulting about this kind of stuff is silly, all you're going to get is NIMBYs who don't want change, everyone else won't care
Great!
Seems clear
I think this is a succinct definition of building height.
seems reasonable
This is too confusing. Please simplify.
I oppose this because it's too vague. What does this mean exactly? Why don't you make it easier for the average person to understand? How does this affect residents? Vision Vancouver has already ruined neighbourhoods. You can't walk a metre without seeing construction in the West End or anywhere in Vancouver. You don't have a proper public consultation procedure right now.
base surface should be more clearly defined height, grade, base surface definitions in VBBL 2019 and zoning should be consistent

Question 1 continued

How is the base surface measured? How are steep sites considered vs flat ones? Is the height measured on existing or finished grades? Do the existing grades function well for drainage in the first place? Are the heights measured from the property line, or from some virtual surface? There are currently far too many ways of calculating grade, and this needs to be better established.

You need to clarify/specify what part of the building height is measured to: i.e. top of parapet, top of mechanical equipment screen, top of architectural armature, top of slab, top of mechanical equipment itself, top of spire. Occasionally rezoning height is written in the body of the report as to top of slab. For towers, it would be helpful to incentivize tops of buildings that look resolved and integrated as opposed to the dog house mechanical penthouses that appear as add-ons because they're excluded from height if they conform to certain dimensions.

I would prefer calculating from the highest point on the base surface. It is not clear what is being interpolated over in the definition. This seems to be a definition for someone who already knows what base surface means, as that is presumably what is interpolated? I think this is supposed to mean "the height of a building is measured from the highest point or points on a building to the base surface directly below that(/those) point(s)," but it does not come out and say that so I'm not sure.

Please consider removing the use of an "interpolated point directly beneath the highest point". Interpolation makes the process unnecessarily cumbersome for the sake of a few exceptional cases. Please consider a far simpler method as mentioned in your backgrounder PDF table that simply uses the average of the 4 finished building corner elevations.

Its unfair to use the old trope of interpolating existing grades as this makes sloped sites shorter than flat sites. Just pick the high point please or give an FSR based zoning envelope rather than making the entire building massing dependent on a single artificially dependent moment. Ie if there is a developed, zero side yard lot line on a sloped site it means an artificial halfway point will determine the overall height at the street? Or maybe height should be just based on visual massing from the street side property line or something - after all its the feeling of a building with relation to the street that is important not the math.

Sentences should flow more smoothly to facilitate quick reading. Instead of breaking up a key sentence to describe the definition of height, identify at outset that the heights of buildings must agree with requirements specified in district schedule.

Deal with sloping sites in the diagrams. This is particularly important on severely sloping sites.

Specify in more detail what the height definition would be if the property and building on it is on a sloped ground. (ie. Hills, Off a side of the Mountain, Above a Cliff, etc)

It's not clear what the definition of "vertical distance" is. Suggest that you combine the two sentences. "... be measured as the vertical distance between a point on the base surface directly beneath the highest point of the building"

Question 2. What are your thoughts about the proposed changes to the definition of base surface?

Fine - and please make the building grade process from the City engineers faster! Thanks.
I believe the province should revoke Vancouver's municipal land use power to regulate heights below 8 storeys. The new definition is fine, but irrelevant.
This definition works, but the height of the building should be taken from the lowest point of the base surface.
Good to have an image for illustration.
Sounds okay. A diagram with 4 different corner elevations would be more helpful.
Clear and a lot more defined, however it needs to be simplified better in terms of wording. Can something stated be said with more simpler words for the majority to understand? (I.e. A Drafting Student in a High School setting)
Fine with this definition
Fine
Clear.
Very clear.
Seems clear
again, seems reasonable
Again I oppose this.
What about a convex or concave site? There are plenty of sites on an escarpment for which averaging of 4 corners does not well depict what happens in the middle? Who determines this 'incompatibility'? Is it something that requires judgement and so presents uncertainty as part of a design process?
-the regulation should limit the decorative roof to a proportion of the height of the building to the base of the proposed decorative roof
Illustration is reasonably clear, but what do you mean by 'joining'? Explain the difference between 'official established' and 'existing grades'. It might help to have a definition that is NOT by-law language in addition to your by-law. You need an interpretive writer or technical writer on the team
Given that it is acceptable that a Base Surface may be inclined, does that mean that the building will also be allowed to have a roof that is also inclined, and parallel to the Base Surface, as no point on the rooftop would be further from the Base Surface than the highest point would be from the Base Surface?
the illustration shows elevations at 12 m at the north side of the property and 10 m at the south. Often times the north side will have different elevations as would the south side. For example 12m and 11.8 m on the corners at the north and 10 and 9.8 m on the south. The base surface is a warped plane. Then under the definition of height it's not clear how to interpolate.

Question 2 continued

Create sentences that are shorter, contain only one fact or piece of information. This speeds up reading and helps understanding.
Interpolation means official surveyed measure of height.
Generally 4 points don't make a plane. You should define which interpolated grade you calculate first. side to side then front to back?
For single family and similar projects, please reconsider and just use the average of the 4 finished building corner elevations. It's a much simpler approach.

Question 3. What are your thoughts about the proposed new definition for decorative roof?

Sure - how does this relate to roof top trellis' for roof patios? Does this mean we can conceal mech equipment with what is effectively additional visual height but can't provide shade for roof patios?
I do not believe Vancouver should attempt to regulate decorative roofs at all. If people want to add them, that's fine. If they don't that's also fine. The new definition is fine, but irrelevant.
Definition is good, but image is a commercial tower. Are residential homes allowed to have a decorative roof over and above the allowable height? You might consider it because allowing new builds to have a roof deck is creating a plethora of unsightly rooflines! I'm not against roof decks, but the code should allow for elegant solutions
I'm fine with the existence of a decorative roof above the normal height restrictions as long as it doesn't violate view cone height limits.
I'm fine with the definition of a decorative roof, but why is mechanical equipment called "mechanical appurtenances"? The word choice of "appurtenances" doesn't seem consist with a goal of simplifying and making the language clearer.
As long as the decorative roof does not adversely affect surrounding properties
This is a very good idea.
Good, have it not be included in height limits!
Good improvement!
Seems clear
Is the decorative roof in addition to the height restriction?
Is the intent "higher than 30.5 m above the base surface" or "higher than 30.5 m above the roof"?
-the regulation should limit the decorative roof to a proportion of the height of the building to the base of the proposed decorative roof
Shouldn't just be limited to "mechanical appurtances" needs to be more open to interpretation.

Question 3 continued

Exposed for abuse. How high can it go? There's no language connecting the definition to building height.
"Decorative" is a misleading word. Example: a screen that extends upward from the perimeter of a curtain wall office tower to conceal mechanical will appear to have a clean finish to the top compared to the doghouse concept, but it would not really be decorative. It's not adding decoration; it merely helps to resolve the top of the building.
I don't think it should matter whether any decorative element is "architecturally designed".
I think any decorations should be green, i.e. trees or solar panels.
Plenty of buildings have decorative roofs are shorter than 30.5m, why should only the tallest buildings in the city have such flexibility to go significantly higher than the envelope might otherwise require, but nothing shorter can do so even modestly? If one building can 'break' its envelope, so should all be able to do so, if reason required.
This definition would be more clear if written in the following way. An architecturally designed roof element higher than 30.5 m applied to the top of the building that enhances the overall appearance of the building and screens and integrates mechanical systems without adding to the habitable floor area otherwise permitted.

Question 4. What are your comments on the proposed amendments to update Section 10.18 height regulations (to modernize language and update terms, to provide more flexibility for rooftop amenity access and to clarify decorative roof regulations)?

Yep thanks - and please include exit stairs in this exclusion as public roof amenities need 2 exits and it can be hard to convince developers that this FSR hit is worth it - especially with smaller sites. Trellis question confirmed, thanks!
Improving the ability to permit access to roof areas for amenity is good. There needs to be an associated floor space relaxation for circulation space to reach it, at least for common access. (ie stairs and elevators)
I am an energy efficiency engineer and welcome the exclusion of mechanical, service and energy efficiency elements from the building height. It encourages the selection of the proper equipment or element based on performance and not based on having to meet a height restriction.

Question 4 continued

<p>I'm supportive of these proposed amendments, but why make these exemptions dependent on approval by the Director of Planning or the Development Permit Board? While I don't doubt either bodies' professional judgement, it does introduce a degree of unpredictability to the permitting process. For these specific amendments why not update the zoning so that all of these examples are by default permitted UNLESS the Director of Planning or the Development Permit Board, respectively, object, and with specific and transparent justification based on City of Vancouver priorities or directives? This would make the permitting process much more streamlined and predictable, would it not?</p>
<p>Sure</p>
<p>Agree with this</p>
<p>the amendments are clearer than before, it gives more specific examples</p>
<p>I like it.</p>
<p>Just change it! People really don't need to be consulted on this.</p>
<p>All great adjustments!</p>
<p>all seems reasonable</p>
<p>I oppose these changes until a proper public consultation happens. As a resident of the West End we were literally and figuratively bull dozed by Vision Vancouver and I don't see how a proper consultation can happen with the pandemic.</p>
<p>I am unsure why there is a limit of 10%. Could it be 9% or 11%? I am pleased that subsection h) is excluded from this</p>
<p>I'm not clear on the following, "...except for the items set out in subsection (h), they do not in total, cover more than 10% of the roof area on which they are located, as viewed from directly above:" Does the 10% apply to the area of a roof deck? If so, on an average lot measuring 33'x122' this would be approx. 100 SF?? The 10% is confusing</p>
<p>So much complexity. This continues to incentivize 10% of roof area doghouses. At 10% of the roof area, this would incentivize limiting rooftop amenity amenity spaces to only 650 sq. ft on a typical tower with a floorplate of 6,500 sq. ft. You need to let go of this 10% thing. You'll just end up with the same unattractive doghouse roofs we've been doing for 20 years. There's decorative roof, there's architectural appurtenances and also now "any screening materials." How are these different? Why so confusing? Simplify.</p>
<p>I think generally the hight of the building should not be increased from previous parameters. However, the buildings should provide shared rooftop and shared space facility. It is strange that only a select few are allowed to ever enjoy the rooftop of the building they spend years and sometimes even decades in.</p>

Question 4 continued

-houses in my neighbourhood are being built box-like to a full three storeys and seem imposing when gabled houses are the predominant form; adding 3.6 m to a three storey house is too much; limit it to the height of a railing and require most of the railing be transparent
It would be a lot better if these allowances did not depend on the director of planning nor the DPB's opinion.
No comment

Question 5. Other comments on what we're working on to improve clarity and consistency of height regulations

This is all insanity, desperately trying to manage a self-imposed scarcity of FSR region wide.
Agree with adding clarity and allowing more height to fit more variety of building shapes into so there won't be the same boring box on every street, such as "Vancouver Specials" or townhouse / condo equivalents.
Allow homes to go higher (or lower into the ground) if they are to be stratas, i.e., character retention projects. If you happen to live in a residential neighbourhood of Vancouver, you're watching 6-8 (+/-) rises go up around you, so it seems only right to allow homes to increase in height...within reason. At least allow homes to increase to the height of some of the original large homes, many of which provide rental opportunities.
add images and/or tables where possible
Once you have base surface (perhaps a tilted plane), will be height be calculated based on the same tilted plane set at the maximum height? This step is always confusing so a graphic will be helpful
Provide more illustrative diagrams to help provide more clarity and understanding.
Garden Sheds? Included in the green roof infrastructure? Daycare storage spaces? Often these are exterior spaces on roofs. Cell phone towers - these are pretty ugly although maybe these sit in the mech infrastructure exclusion.
Keep the greenery and sustainability a focus rather than mere business. In the coming days of climate change and climate crises mental health and sustainability are key risks to our race. We need to prepare better, cleaner, and greener. Long live Vancouver, the city we all love. Dr. Gulnaz Anjum

Question 5 continued

From the presentation, it seems that the emerging direction for redefining height and base surface is leaning toward the VBBL Method as it is easier to calculate. However, while it may reduce interpolation and complex calculations, it also has the tendency to eliminate nuance. These calculations do not only define overall height, but also provide the basis for defining the number of stories, and other grade-related thresholds that have Code implications unrelated to height. The VBBL Method, and likely any simplified method is more likely to count basements and partial storeys as full storeys, which could have unintended consequences.

This issue is particularly pressing when it comes to Vancouver's Character and Heritage houses. These wood-framed, residential buildings are often 2 1/2 stories with a basement. They are also often located on slopes which allow the basement to be accessed at grade on one or more sides. Under the simplified VBBL method of calculating height, these Part 9 buildings would be designated as 4 stories, and therefore automatically be defined as Part 3 buildings under VBBL 3.2.2, which are required to be of non-combustible construction. This could potentially affect a large majority of Vancouver's Character housing stock with devastating consequences. Even a minor renovation could become untenably expensive because existing houses would get re-designated as Part 3 buildings, triggering more extensive structural and code requirements, and requiring exceptions for existing combustible construction.

In addition to inhibiting character house retention, this issue could also make it much more difficult to create new housing stock at a similar scale and density. So-called Missing Middle developments could also suffer as it would be more difficult to include grade-accessible garden suites, or mass-reducing partial upper stories, in 3-storey structures comparable to character houses. Without clear and careful height regulation, these much needed ground-oriented residential developments would also be designated as Part 3 buildings, making them more expensive and subject to more onerous permitting processes.

While I fully support the simplification and clarification of height regulations, I sincerely hope that staff is following through on the implications of these changes to all tangentially related topics in the zoning AND building code bylaws.

Question 5 continued

It seems you're clinging to the technical structure of the past and merely modifying existing definitions, but not sure this is providing much more clarity or simplification. and probably not going to improve the aesthetics of rooftops. So then what's the point of changing it? There were good, simple and clear ideas generated in the group discussions.

You need to rethink the mechanical penthouse/ elevator overrun problem. Doghouse town. Think incentives. You may want to incentivize attractive, well-resolved rooftops.

First principles. Answer this question first: What is the purpose of limiting height? To limit impacts from bulk or shadow? Or to maintain access to light and sky? To limit density? Or to achieve certain skyline aspirations? Be specific. Then follow that established logic. Why would a rooftop amenity space excluded from height somehow cause less impact than any other use or object occupying the same 3D space? Or how does an ugly poorly resolved rooftop mechanical penthouse get a free ride on height merely because it conforms to a certain area footprint?

Height is height: no matter if it's elevator overrun, parapet, air handling unit, amenity space, rooftop trees, screens, guards, armature, trellis, movable canopy, window washing crane, FSR space, sculpture - whatever is up there, it's all height. It all contributes to the perception of the vertical dimension of a building. Why attempt to differentiate, and thereby add preference for some objects for consideration of additional height over others just by virtue of their use or size?

Limit/ eliminate exceptions and exclusions or it'll just be a different version of the same old game. Simplify. Clarify.

This is really unnecessary to be consulted on. It seems the only reason this is even being run because a small handful of the population throws a fit when they aren't consulted. I think consulting on this administrative stuff is actually quite hurtful to the overall process because it distracts from other consultations and discourages people from consulting on other topics because this is quite boring and dense; not something the average person should be concerned with. If people think all consultation is like this they're unlikely to engage again.

Again have a public consultation process! Still waiting for one! Please wait until after the pandemic.

Question 5 continued

-shadowing regulations should be regularized noticing that parks, school playgrounds and plazas are very important public spaces. Children are now at school all day and the playgrounds can be heavily used three or four times a day. I'd suggest 10 am - 3 pm for areas where children are playing or community gardens are located. Key public plazas should have shadowing limited 10 - 4 pm and areas where there are restaurant patios should not be shadowed later in the afternoon. Council policy can guide the consideration of relaxations. But shadowing of children's playgrounds and school yards should be the highest priority for sunshine between the equinoxes.

Make the sentences as short as possible even if they seem excessively simple. People are used to reading captions, headlines and brand logos, increasingly lazy about reading more complicated language and detailed guidance.

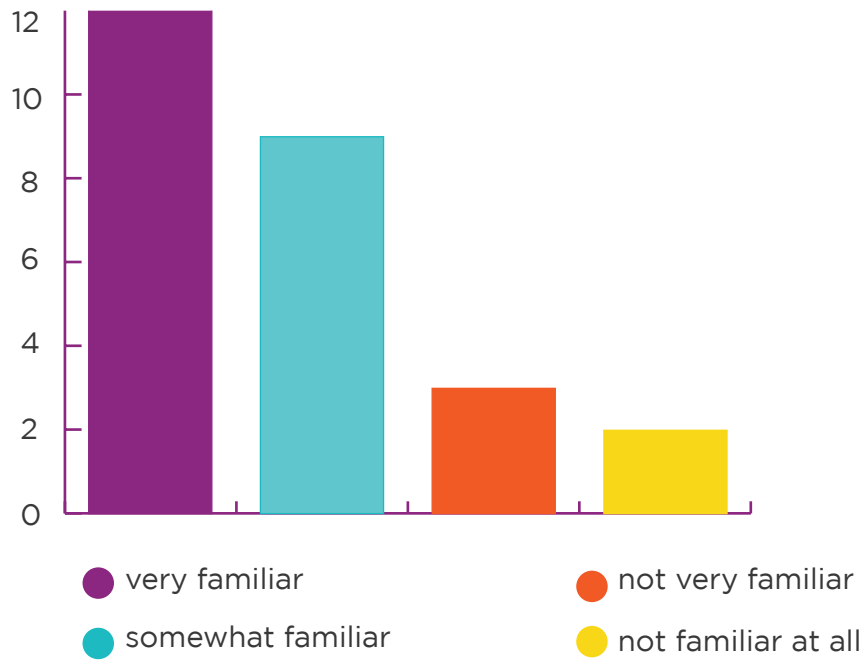
I think I've made my comments in the relevant sections but to reiterate, the word choice of "appurtenances" seems verbose if clarity is the aim, and if consistency is the aim of the proposed amendments, why shouldn't the examples that can be permitted to exceed the building height all be allowed by default, UNLESS the Director of Planning or the Development Permit Board specifically object, with clear and transparent reasons based on the City of Vancouver's directives or priorities?

The regulations need to better address sloping sites. This can be challenging. When the lane is high the loading dock clearance typically sets the height of the main floor which dictates the height of the building. When the lane is low the parkade can become a storey which can have a significant effect on floor area and available massing options. The accessibility requirements in the VBBL are also challenging on sloping sites. Can language be added to specifically give the director authority for all these cases?

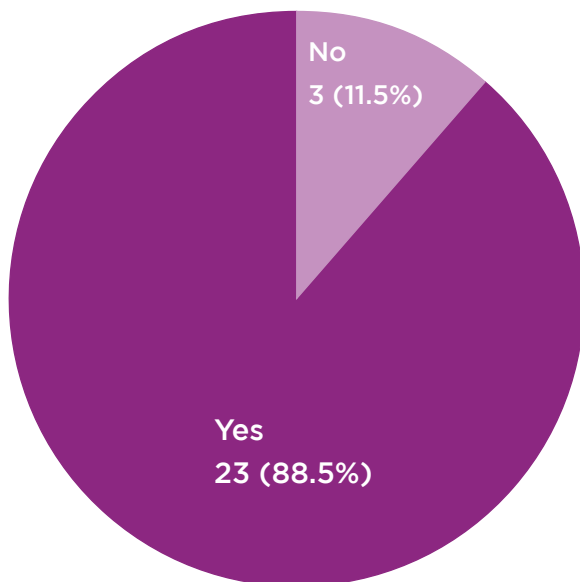
One issue that I encounter frequently on sloped sites with parkade entrance at the high side. Some of the parking floors immediately above the high side will be counted as FSR as they are above the sloping base surface. I would suggest that these should not be counted towards FSR.

Thank you so much for doing this! Let's keep clarifying and simplifying!

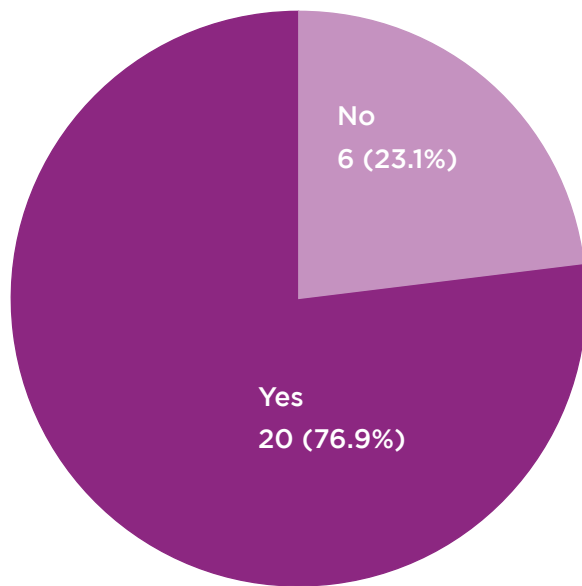
Question 6. How familiar would you say you are with the Zoning and Development By-law?



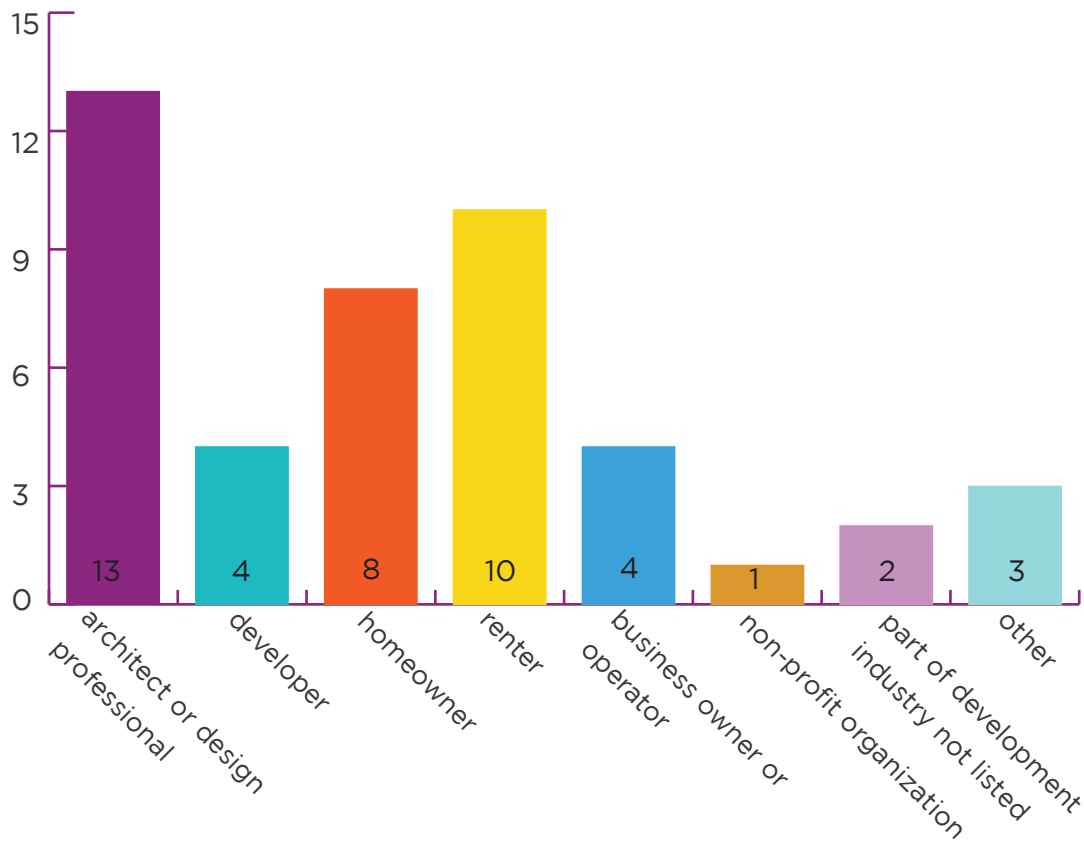
Question 7. Do you live in Vancouver?



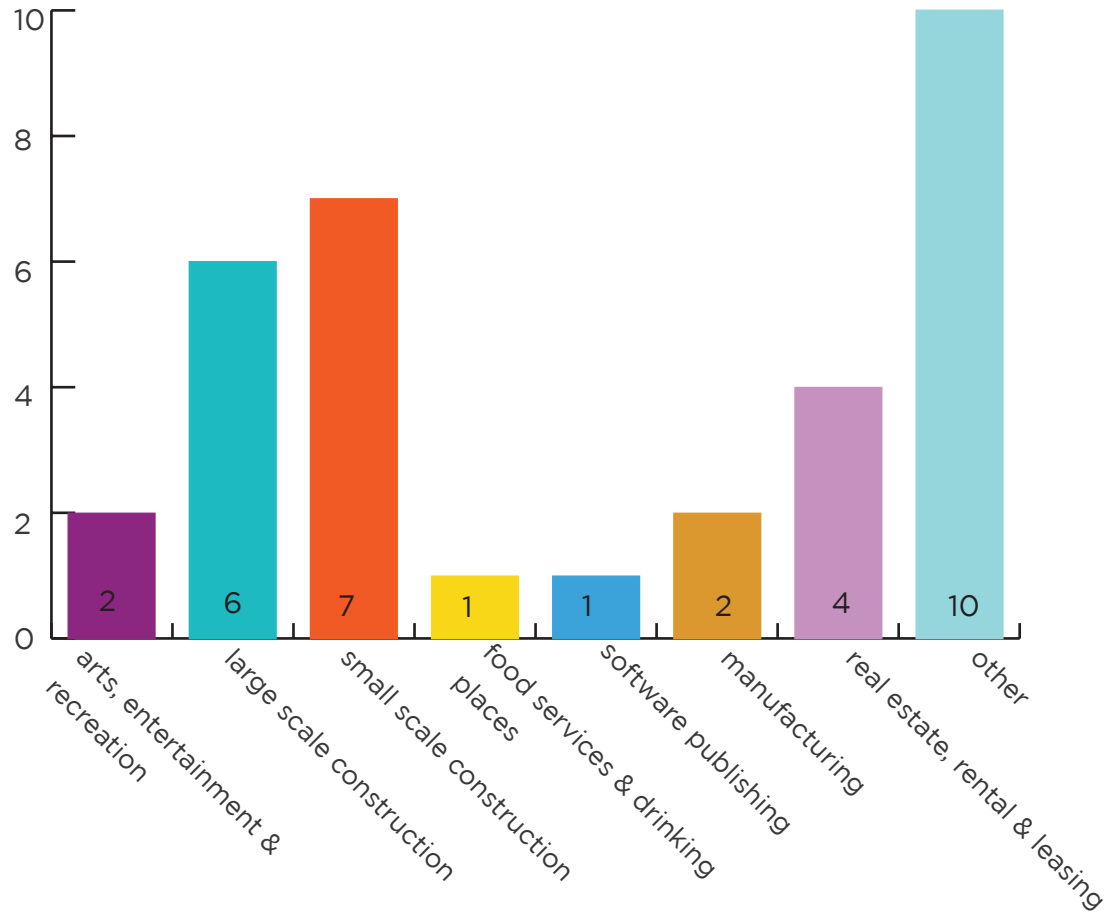
Question 8. Do you conduct business in the City of Vancouver?



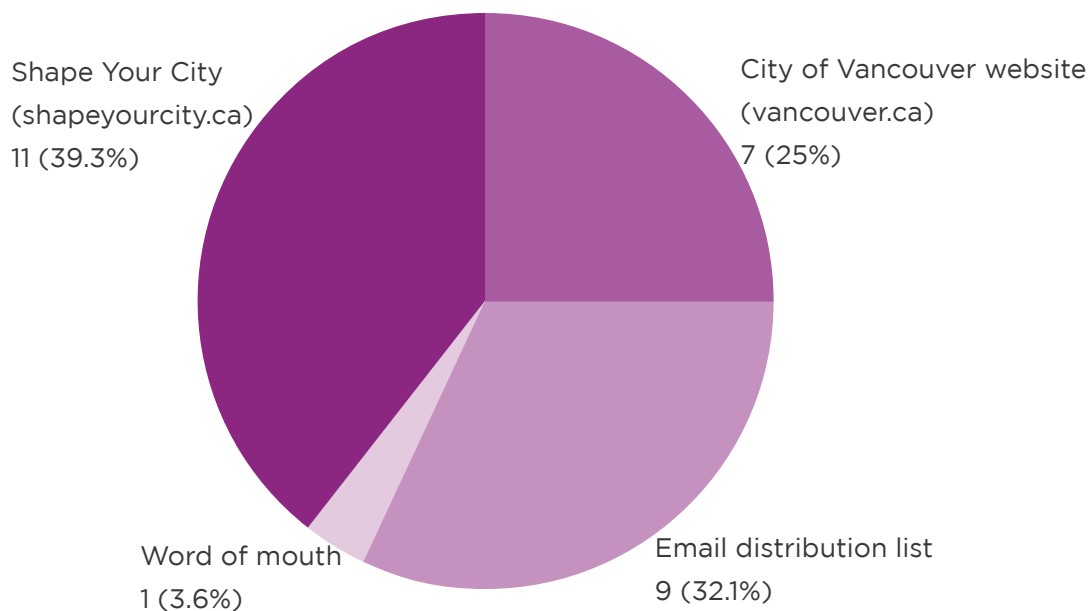
Question 9. Are you... (check all that apply)



Question 10. Which of the following describes your business' primary activity



Question 11. How did you hear about this survey?



Appendix C

Redline Version of Proposed Height Amendments

1) Amendments to Section 2 – Definitions:

Add new definition for height:

The height of a building must, unless otherwise specified in a district schedule to this by-law, be measured as the vertical distance that the building extends above the base surface. The elevation at that point on the base surface directly beneath the highest point (or points) of the building are determined by interpolation. Height requirements in district schedules may also include limitations on the permitted number of storeys and/or building envelope.

Amend definition for base surface:

That hypothetical surface determined by joining the official established building grades at all corners of the site, provided ~~however~~ that where official established building grades cannot be obtained through application to the City Engineer, ~~or where the official established building grades are found to be incompatible with grades on adjacent sites~~, existing grades ~~shall~~ **may** be used ~~to determine the base surface~~. ~~For the purpose of measuring height of a building at any point, the elevation at that point on the base surface shall be determined by interpolating from the official established building grades or, where official established building grades cannot be obtained, from existing grades.~~

Add new definition for decorative roof:

An architecturally designed roof element applied to the top of buildings higher than 30.5 m that enhances the overall appearance of the building and screens and integrates mechanical appurtenances in an aesthetically appropriate manner, without adding to the floor area otherwise permitted

2) Amendments to Section 10.18 Height of Building and Relaxation:

~~10.18.1 — The height of a building shall, unless otherwise specified in a district schedule to this By-law, be measured as the vertical distance that the building extends above the base surface.~~

~~10.18.2 — Where the existing grade of a site is higher than the base surface and the Director of Planning is satisfied that the existing grade is compatible with the existing grade of the adjoining sites or the general topography of the area, height of building may be measured from a surface determined by joining the existing grade at all points around the perimeter of the proposed building. The Director of Planning may, if the Director of Planning deems necessary, require the applicant to furnish a plan of survey in accordance with section 4.1.2 of this By-law.~~

~~10.18.3 — Where the existing grade of a site is lower than the base surface, building height may be measured from the base surface provided the Director of Planning is satisfied that the proposed finished grade is compatible with the existing grade of the adjoining sites or the general topography of the area. The Director of Planning may, if the Director of Planning deems necessary, require the applicant to furnish a plan of survey in accordance with section 4.1.2 of this By-law.~~

(the above sections are replaced by the new height and base surface definitions)

10.18.4.1 The Director of Planning may, at the Director of Planning's discretion, permit a greater height than otherwise permitted for the following items if, except for the items set out in subsection (h) (d), they do not, in total, exceed one-third of the width of the building or buildings as measured on any elevation drawings and do not, in total, cover more than 10% of the roof area on which they are located as viewed from directly above:

- (a) architectural appurtenances such as towers, turrets, and cupolas, provided:
 - (i) no additional floor area is created; and
 - (ii) no protrusion extends more than 1.1 m above the height limitation;
- (b) roof-top access structures to private or shared outdoor amenity space that do not exceed a height of 3.6 m;
- (c) common roof-top amenity structures contiguous with common outdoor amenity space that do not exceed a height of 3.6 m;
- (d) mechanical appurtenances such as including elevator machine rooms and any screening materials the Director of Planning considers appropriate to reduce visual impacts;
- (e) any required guards, provided the Director of Planning considers the guard materials to be appropriate to reduce visual impacts;
- (f) chimneys;
- (g) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation;
- (h) access and infrastructure required to maintain green roofs or urban agriculture, or roof mounted energy technologies including solar panels and wind turbines; and , provided that the Director of Planning considers:
 - (i) their siting and sizing in relation to views, overlook, shadowing, and noise impacts, and
 - (ii) all applicable policies and guidelines adopted by Council;
- (i) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation; and (moved to (g) above)
- (i) items similar to any of the above.

provided that the Director of Planning first considers the effect on siting, massing, views, overlook, shadowing, and noise.

10.18.52 The Development Permit Board may, for any building higher than 30.5 m, permit a decorative roof, which may include items referred to in section 10.18.4, to exceed the maximum height otherwise specified in this By-law, provided that:

- (a) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
 - (b) the roof does not add to the floor area otherwise permitted; and
- the Development Permit Board first considers all applicable policies and guidelines adopted by Council.

Appendix D

Presentation Slides

Regulation Redesign
Proposed Regulatory Amendments: Height

City of Vancouver
Simplifying Rules for City Building

Planning, Urban Design & Sustainability
March 2021

Agenda

1. What is Regulation Redesign?
2. Proposed amendments to simplify height regulations
 - Definitions
 - Section 10.18 regulations

Regulation Redesign
Simplifying Rules for City Building

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About Regulation Redesign

- Regulation Redesign is a priority project in 2020 Corporate Plan, specifically Goal 2B – Build and Protect the Vancouver Economy
- Key objectives of the project are to:
 - simplify and clarify land use regulations to make them easier to understand and implement
 - modernize regulations and language and improve the format of land use documents to make them more user-friendly
 - improve the consistency of land use regulations and policies
 - improve communication about land use tools
 - establish a robust and enduring land use framework

Regulation Redesign
Simplifying Rules for City Building

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Current situation

Adopted in 1956, the Zoning and Development By-law has been amended thousands of times (8000+), but it has not been comprehensively reviewed.

1956

2019

Regulation Redesign
Simplifying Rules for City Building

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What we've heard

I CAN'T FIND THE INFORMATION I NEED

EVEN WHEN I FIND WHAT I'M LOOKING FOR, I CAN'T UNDERSTAND IT

INFORMATION CONFLICTS WITHIN BY-LAWS AND ACROSS REGULATIONS / POLICIES

THE RULES ARE BEING INCONSISTENTLY INTERPRETED AND APPLIED

Regulation Redesign
Simplifying Rules for City Building

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Project timeline

	2018/19	2020	2021	2022
• explore issues and ideas				
• develop options for by-law format				
• regulatory amendments				
Modernize By-law structure and format				
Simplify, clarify, harmonize regulations				
Endurance and legacy of land use framework				
	Council Q2	Council Q2	Council Q2	Council Q3

• new zoning by-law in user friendly format

Regulation Redesign
Simplifying Rules for City Building

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Agenda


1. What is Regulation Redesign?
2. Proposed amendments to simplify height regulations
 - Definitions
 - Section 10.18 regulations

Regulation Redesign
Simplifying Rules for City Building

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Simplify height regulations

1. Create new definitions:
 - height
 - decorative roof
2. Update base surface definition
3. Update section 10.18 height regulations
 - modernize language
 - provide more flexibility for roof access and roof top amenity features
 - clarify decorative roof regulations



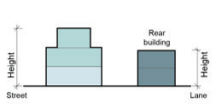
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Simplify height regulations: 1. New definitions

Create new definition for height to clarify:

- height is measured as the vertical distance building extends above base surface
- interpolation is the method used to determine the point on the base surface from which height is measured
- regulations in district schedules may limit the number of storeys or building envelope



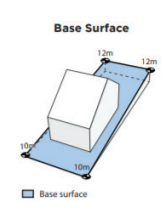
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Simplify height regulations: 2. Updated definition

Amend definition for base surface to:

- clarify that existing grades may be used to determine base surface if:
 - official established building grades cannot be obtained or
 - where they are incompatible with grades on adjacent sites
- remove wording about height calculation that is in new height definition



Regulation Redesign
Simplifying Rules for City Building

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Simplify height regulations: 1. New definitions

Create new definition for decorative roof:

- an architecturally designed roof element on buildings over 30.5 m high
- enhances the overall appearance of the building
- screens and integrates mechanical appurtenances
- doesn't add to floor area



Photo by Merrick Architecture

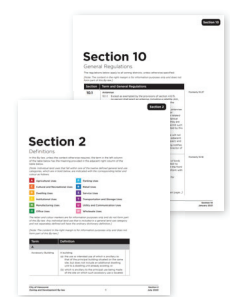
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Simplifying Rules for City Building

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Simplify height regulations: 3. Updated regulations

Update Section 10.18 - Height of Building:

- remove sections 10.18.1 to 10.18.3 (which explain how height and base surface are calculated)
- replace with new height definition and updated base surface definition



Regulation Redesign
Simplifying Rules for City Building

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Simplify height regulations: 3. Updated regulations

Update height increases (currently section 10.18.4):

- remove 1/3 of building width limit (max. 10% of roof area to apply)
- update language on architectural appurtenances and remove 1.1 m height limit
- add the following features to the list of items that may exceed permitted height:
 - roof-top access structures to a private or shared outdoor amenity space that do not exceed 3.6 m in height
 - common roof-top amenity structures contiguous with common outdoor amenity space that do not exceed 3.6 m in height
 - screening material the Director of Planning considers appropriate to reduce visual impacts



Regulation Redesign
Simplifying Rules for City Building

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Thank you

Questions?

What's next?

- Shape Your City Engagement in March
- Report to Council late spring 2021

Learn more:
vancouver.ca/RegRedesign
RegRedesign@vancouver.ca



Regulation Redesign
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