

Regulation Redesign Phase II Engagement Summary

JUNE 2019 – MARCH 2020

City of Vancouver | May 12, 2020

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1 INTRODUCTION

The Regulation Redesign team developed an engagement strategy that includes a variety of ways for stakeholders including representatives and members of the development, building, design, business, and non-profit sectors, and members of the public and staff to be involved in simplifying and clarifying land use regulations to streamline permit processing.

1.1 About the Regulation Redesign project

Regulation Redesign is a project to simplify and clarify the City's land use regulations, policies, and online tools. The project is integral to efforts to support and enhance the Vancouver economy by improving the regulatory environment and streamlining permit review. Regulation Redesign is a corporate priority in the City's 2020 Corporate Plan (Goal 2B – Build and Protect the Vancouver Economy) and a key action item in the Housing Vancouver Strategy. This work is aligned with other projects to improve processes, including the Development Process Review and service improvements being coordinated by the Development, Buildings, and Licensing Department.

Key objectives of Regulation Redesign are to:

- **Simplify and clarify** land use regulations and policies to improve ease of use and clarity in order to reduce permit processing times;
- **Modernize** and update the rules, language and format of land use documents, and the processes to create/ amend them;
- **Improve consistency** among land use policies and regulations;
- Improve external and internal **communication** on land use planning framework and its systems; and
- Establish a robust and **enduring land use framework** (including regulations, policies, protocols and procedures) that is able to adapt well into the future.

The Regulation Redesign project has been extended to 2022 to deliver a new user-friendly Zoning and Development By-law, continue to simplify regulations, and establish protocols and procedures for developing regulations and policies. Over the next three years stakeholders, staff and the public will continue to be invited to participate in developing options and providing feedback.

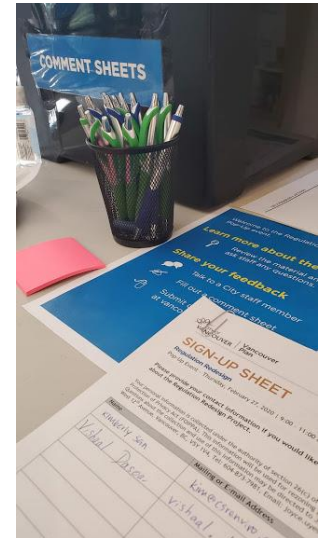
In this phase of the project, engagement focused on developing ideas and options to simplify regulations and by-law format and on obtaining feedback on proposed regulatory amendments. This report summarizes the ideas and feedback collected from various workshops, focus groups, information sessions, pop-up events, an open house, and online engagement.

2 PUBLIC ENGAGEMENT OVERVIEW

2.1 Objectives

Since the launch, Regulation Redesign held several activities to:

- Broaden awareness of the Regulation Redesign project
- Provide ongoing project updates and share findings
- Provide opportunities for input on issues and ideas to improve and simplify land use regulations



2.2 Participants

Engagement activities were designed to ensure the project is informed by a broad range of users of the Vancouver Zoning and Development By-law. Participants included:

- For profit and not-for-profit development industry representatives
- Homebuilder associations and independent builders
- Architects, designers, and consultants
- Members of the public
- City staff

2.3 Engagement Activities

Phase I - July 2018 to January 2019

Initial engagement activities included community pop-up events at local retail building and construction stores, a stakeholder roundtable to identify key issues and ideas, listening sessions with industry professionals, and open houses. Regulation Redesign heard from over 800 people at these events. Four themes emerged consistently:

- Users could not find the information they needed
- Even when they found what they were looking for, they could not understand it
- Information conflicted within by-laws, across regulations and policies
- The rules were being inconsistently interpreted and applied

Phase II - June 2019 to March 2020

Building on key issues and ideas identified during the first phase of engagement, Regulation Redesign held several events between June 2019 to February 2020 (see Table 1 below) to develop and test options for simplifying regulations, creating a user-friendly by-law format, and clarifying the regulatory land use framework. Options were presented to the public for feedback. Over 550 industry stakeholders and members of the public, and over 250 staff participated. Engagement opportunities included a stakeholder workshop, technical workshops with external advisory members, an information session with small home builders and designers, pop-up events and an open house. Engagement topics focused on exploring options and ideas for:

- Simplifying floor area and building height calculations
- Exploring alternate ways of regulating size and massing, such as the ‘glass box’ concept (i.e. regulating building envelope instead of floor area)
- Improving the user-friendliness of the Zoning and Development By-law format and structure
- Developing definitions for features such as porches, decks and balconies to provide certainty when applying rules
- Clarifying regulations and improving their consistency so they are easier to understand

Engagement Opportunity	Participants / Recipients
Stakeholder Workshop	65
External Advisory Group + Subgroup Meetings	16
Information Session	22
Open House	32
Pop-Up #1	24
Pop-Up #2	28
Pop-Up #3	29
Pop-Up #4	48
Online Comment Form	11
Focus Group Sessions and Education Series Updates with staff	269
Listserv Updates	300+

Table 1 Engagement Opportunities June 2019 to March 2020

2.4 Notification

Notification of engagement opportunities included:

Project Webpage: Engagement opportunities were available on the Regulation Redesign webpage (vancouver.ca/RegRedesign) and City of Vancouver event listings.

Stakeholder Emails: Email invitations and reminders were sent to key stakeholders and interest groups (Regulation Redesign listserv, small homebuilders and designers contact list, external advisory group members and their networks).

Social Media & Networking: Event listings and posts on Facebook, Twitter, WeChat, and Architectural Institute of BC, Homebuilders Association of Vancouver, and Urban Design Institute e-newsletters.

Public Notices: printed informational material distributed at key locations such as the Development and Building Services Centre and City Hall.



3 INPUT FROM ENGAGEMENT ACTIVITIES

3.1 Stakeholder Workshop

A workshop was held on June 19, 2019 with industry stakeholders who have direct experience with land use regulations. Over 65 key stakeholders representing development, construction, design, and real estate industries attended. Discussion focused two topics:



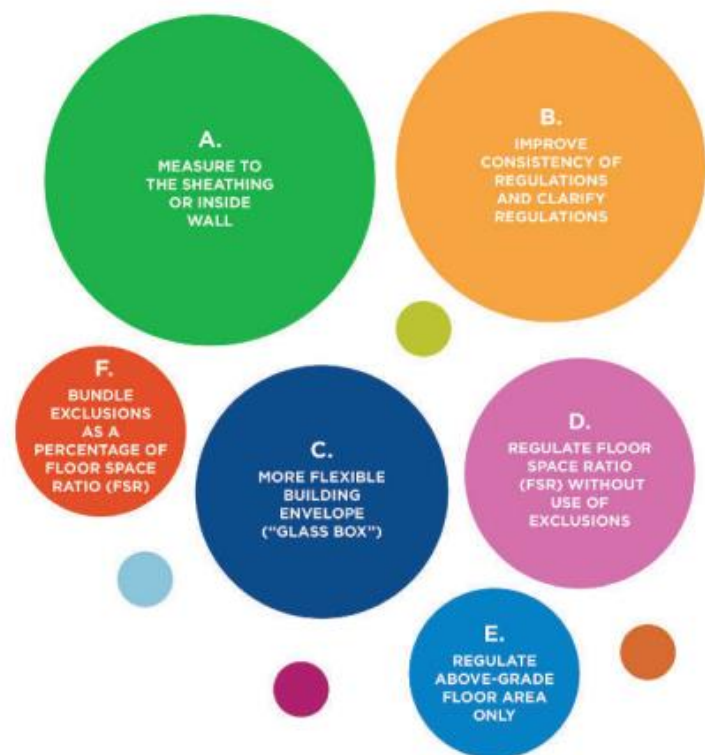
1. Options to simplify floor area regulations and calculations
2. Options to simplify building height regulations and calculations

What We Heard

The most common ideas that emerged from the discussions were: focus on improving the consistency and clarity of floor area and building height regulations and explore regulating a more flexible building envelope (“glass box”). For more details on what we heard, see the report available on the Regulation Redesign webpage at vancouver.ca/RegRedesign.

Ideas to Simplify Floor Area Calculation:

- A. Measure to the sheathing or inside wall
- B. Improve consistency of regulations and clarify regulations
- C. More flexible building envelope (“glass box”)
- D. Regulate Floor Space Ratio (FSR) without use of exclusions
- E. Regulate above-grade floor area only
- F. Bundle exclusions as a percentage of FSR



Ideas to Simplify Building Height Calculation:

- A. Keep current approach, but be consistent and clear
- B. New approach: 'Glass Box' or maximum envelope
- C. Don't regulate storeys
- D. Eliminate Vertical Angle of Daylight
- E. Eliminate relaxations
- F. Regulate mezzanines like the Vancouver Building Bylaw
- G. Eliminate primary and secondary envelopes



3.2 Regulation Redesign External Advisory Group

Established in November 2018, the Regulation Redesign External Advisory Group (RREG) has been meeting bi-monthly to consider and develop options and provide advice and guidance on the Regulation Redesign project. The RREG is made up of 16 members, representing a cross-section of development and construction industry experts. Of the bi-monthly meetings, four were working sessions to explore and test options for simplifying floor area and building height calculations, regulatory framework options and the 'Glass Box' concept.

What We Heard

Floor Area Calculation

Following the June 2019 Stakeholder workshop, the RREG considered alternate ways of calculating floor area, including measuring to the inside wall or measuring to the sheathing. After looking at the options, there was consensus that changing how floor area is measured is potentially more complex and confusing.

Glass Box concept

The RREG was also tasked with further examining the idea of regulating the building envelope (glass box) as an alternative to current floor area and height regulations. The advantages and challenges are summarized as follows.

Advantages:

- greater flexibility for design
- more focus on volume to address bulk and massing vs. interior (interior addressed by building and life safety by-laws)
- reduced processing times if the glass box approach results in a reduction of regulations and guidelines

Challenges:

- a significant change to how floor area is regulated, which would require extensive resources to develop new requirements and train staff and applicants
- could add additional or different complexity to the permit review
- not effective with sloping sites
- whether there would be support to “let go” of certain regulations in order to make this model viable

The RREG agreed that further development of the ‘Glass Box’ concept should be a part of future planning programs (e.g. new housing options) and Regulation Redesign should maintain its focus on simplifying current regulations and improving consistency.

User-Friendly By-law

As part of modernizing the Zoning and Development By-law, the RREG deliberated how intent statements for district schedules can be improved and provided the following guidance:

- clearly describe the intended uses and forms of development for the district (provide context for design)
- Provide a snapshot or distillation of the district schedule
- Clarify criteria/guidance that inform discretionary decisions
- State the City’s aspirations for the district
- Consolidate common intents/broad goals

3.3 Information Session with Small Home Builders and Designers

On January 23, 2020, Regulation Redesign partnered with the Khalsa Diwan Society to host an information session with small-scale home builders/developers and designers/architects. The focus of the session was to gather input on proposed new definitions and regulatory amendments for porches, decks, and balconies. Participants provided feedback on whether the draft new definitions would provide more clarity and on proposed changes to update regulations for consistency across all districts, so they are easier to apply and understand. Over 20 people participated in the Information session.

What We Heard

There was general support for the proposed definitions and for the regulatory amendments. In addition, the following comments were received.



Covered Entry, Porch, Verandah

- update regulations for front porch to reflect current practice (e.g. open sides for front porch)
- be clear about what “open” means
- prefer 13% exclusion
- clarify and/or reduce regulation on porch height (e.g. gable roof exceeds permitted 10.86 ft/3.1m)
- clarify regulation for covered porches in RS-5 district schedule – the way it is worded now is confusing

Deck

- deck should be considered part of the building envelope, instead of regulating size
- consider allowing overhangs to project further into the front yard (e.g. increase balcony and deck overhangs from 2 ft. to 3 ft.)
- regulate size of the landing facing rear yard by area, rather than dimension to provide more flexibility in design

User Friendly By-law

- clarify intent of regulations
- Add simple illustrations

- use simple language – legal terms are difficult to understand, which can lead to multiple interpretations (e.g. use of term “except”)
- remove word “notwithstanding”

3.4 Open House, Pop-Up Events, Online Engagement

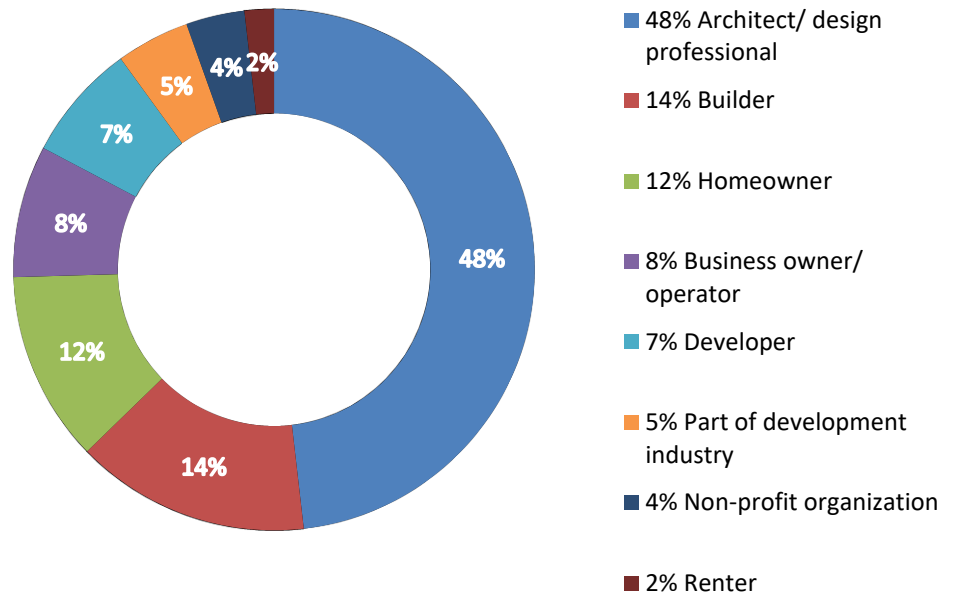
Between February and March 2020, four pop-up events were held in the Development and Building Centre and an open house was held at City Hall. The purpose was to inform people about the goals of the project, proposed regulatory amendments and to get input on ideas to improve the user-friendliness of the Zoning and Development By-law. This included seeking feedback on user-friendly by-law format objectives and principles, proposed new definitions for porches, decks and balconies and proposed amendments to consolidate and update regulations. Over 180 people provided feedback either in person or online. The display boards are available on the Regulation Redesign webpage at vancouver.ca/RegRedesign.



What We Heard

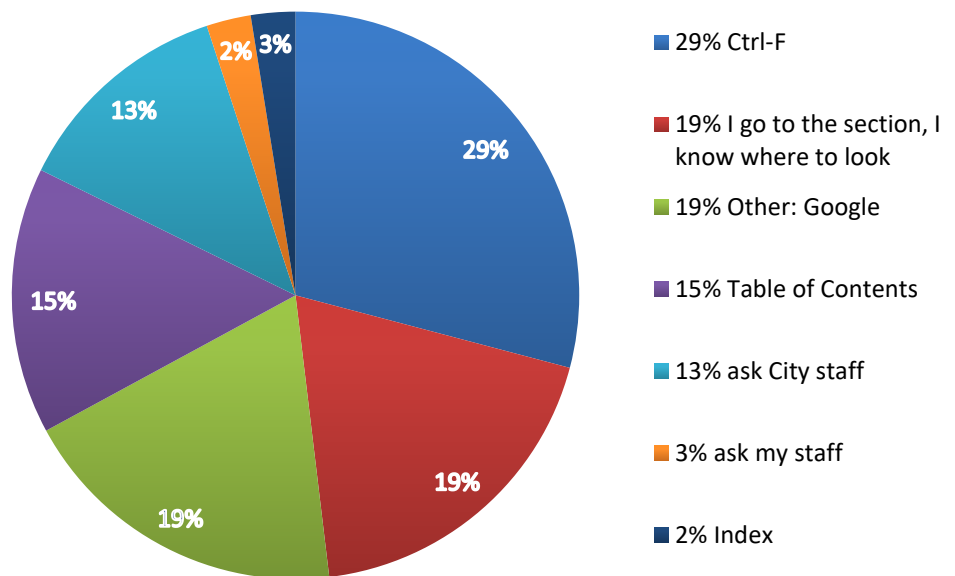
Who we heard from

Total respondents: 119



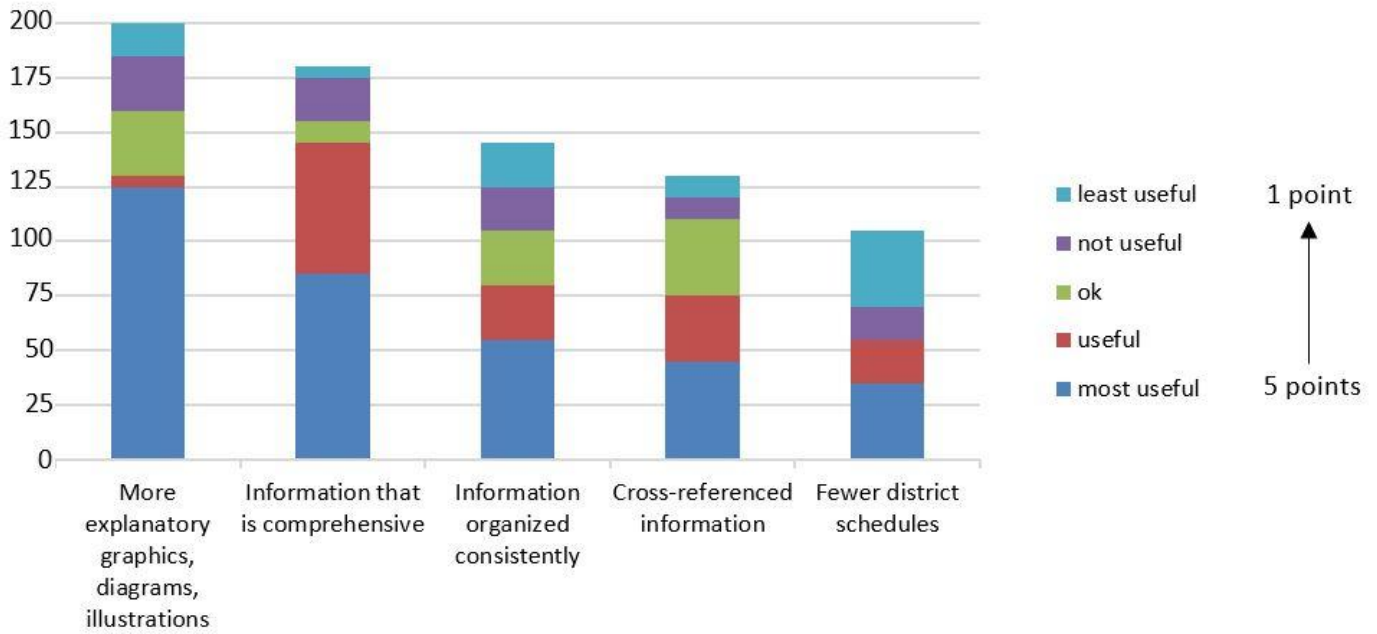
When you need information from the Zoning and Development By-law, where do you start?

Total respondents: 88



What would help you find the information you need the quickest?

Respondents ranked five categories that would help find information the quickest in order of most useful to least useful. More explanatory graphics, diagrams, and illustrations was ranked the most useful tool to help find information the quickest. Total responses: 207

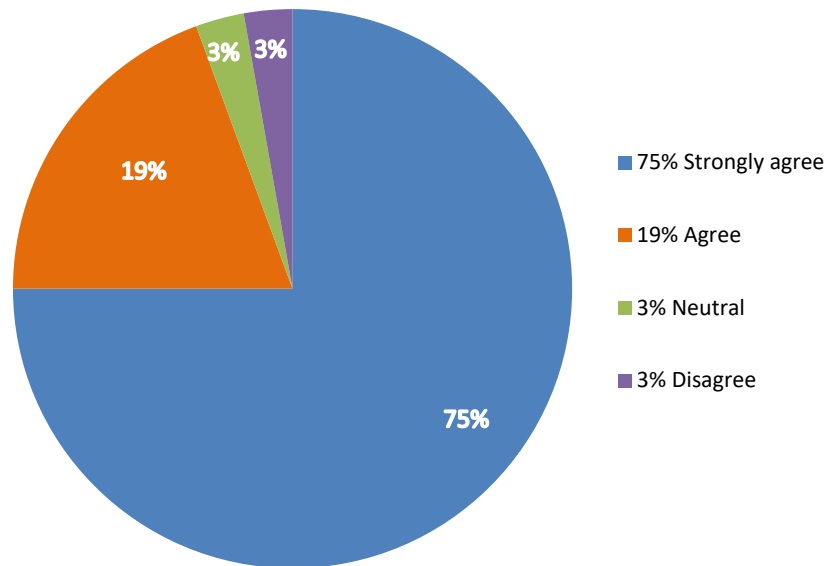


Additional ways to help find information the quickest

Category	Feedback
Information that is clear	<ul style="list-style-type: none"> • More plain language • Removal of conflicting information • Shortening of document length
Information organized consistently	<ul style="list-style-type: none"> • Easier navigation • Alignment of rules • Interpreting and locating information is difficult and overwhelming without aid of staff
Cross referenced information	<ul style="list-style-type: none"> • A need for clickable cross references • Consistency in references between by-laws and regulations • Having conditions next to actual by-law itself without having to go to different section • More comprehensive info on laneway houses
Other	<ul style="list-style-type: none"> • A need for more searchable functions online • Acknowledging that some members of the public still use physical copies of by-laws

4. User-friendly by-law: draft principles and objectives

75% of the 36 responses indicated strong agreement with the user-friendly by-law draft principles and objectives.



Additional feedback on draft objectives and principles for by-law format:

- Desire for cross-references and alignment with other regulations
- Ensure rules and regulations are clear for staff so interpretations can be consistent
- Include informational graphics
- Explain total FSR possible within certain zones
- Regarding 'distinguish nuances': make requirements more obvious or up-front, currently development application requirements are too onerous
- Regarding 'document standards': ensure more conformity and alignment in the by-laws as well as link district schedules with corresponding guidelines
- Staff should not assume the public would read land use documents from "cover to cover" or that all users are tech savvy when accessing the documents
- Regarding 'group similar rules together': rules were all over the place in documents and readers have to refer to multiple clauses in other sections in order to get the information they need
- Regarding 'quick reference pages': would like to see links to relevant pages and a page to understand how the by-laws have changed over time

Porches, Decks, and Balconies

When asked to comment on draft definitions and regulatory amendments for porch, deck, balcony, enclosed balcony, patio roof deck, awning, and canopy, feedback provided was positive with support for the proposed definitions for porches, decks, and balconies. Other comments included concern with having to do multiple

searches in order to look for information and the desire for more relaxations/exclusions to be explored and considered.

Proposed amendments to Sections 3, 4, 5

When asked for comments on proposed amendments to Sections 3, 4, 5 to consolidate regulations/ information and simplify relaxations, feedback indicated that respondents were generally receptive of the proposed amendments especially those made for section 5 regarding the simplification and clarification of relaxations.

Support for the proposed amendments to sections 3, 4 and 5 cited the following:

- Changes proposed will make it easier to find info
- Will help provide clarity for those that have limited experiences using the by-law

Other comments noted the need to be clear about what constitutes hardship, to keep the definition concise, and to be clear about terms being updated.