



# Regulation Redesign

## Simplifying Rules for City Building

Stakeholder Workshop | June 19, 2019







## Presentation Overview:

1. Regulation Redesign project overview
2. What we've been working on
3. Purpose of today's workshop
4. Calculating floor area – concepts, issues, ideas
5. Calculating building height – concepts, issues, ideas



# Regulation Redesign - Overview



# 1 | Project Objectives

- **Simplify** regulations to make them easier to find and understand
- **Improve** consistency – wording, regulations, between by-laws
- **Establish a Framework** to coordinate policy development:
  - reconcile competing objectives
  - simplify decision-making
  - improve implementation
- **Ensure** land use policies and regulations advance City priorities
- **Improve** external and internal communication





# 1 | Key Deliverables

1. **Updated**, user-friendly Zoning and Development By-law and land use documents
2. More **consistency** between Zoning and Development By-law and other by-laws
3. On-line document library and **streamlined** web pages
4. **Improved** coordination of policy development
5. **Criteria and procedures** for developing/amending regulations and policy and coordinated implementation
6. **Updated** terms of reference for land use advisory committees

**MIXED USE ZONES**

8.1 Permitted Uses

A) Uses permitted in the Mixed Use Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 8.1.1, below.

Table 8.1.1: Permitted Uses in the Mixed Use Zones

	Mixed Use Zone 1	Mixed Use Zone 2	Mixed Use Zone 3	Mixed Use Zone 4
	MU1	MU2	MU3	MU4
<b>RESIDENTIAL USE</b>				
Apartment dwelling	✓	✓	✓	✓
Detached dwelling				
Dormitory				
Live-work dwelling	✓	✓	✓	✓
Long term care facility				
Retirement home		✓	✓	
Semi-detached dwelling	✓			
Townhouse dwelling		✓	✓	
<b>ACCESSORY RESIDENTIAL USES</b>				
Accessory dwelling (1)	✓	✓	✓	✓
Bed and breakfast	✓	✓	✓	✓
Home occupation	✓	✓	✓	✓
Lodging house (1)(2)	✓	✓	✓	✓
Private home day care (1)	✓	✓	✓	✓
<b>OFFICE USES</b>				
Business office	✓	✓	✓	✓
Medical office	✓	✓	✓	✓
<b>SERVICE COMMERCIAL USES</b>				
Commercial school	✓	✓	✓	✓
Dry cleaning depot	✓	✓	✓	✓
Financial institution	✓	✓	✓	✓
Place of entertainment	✓	✓	✓	✓

78  
Date 2018 | 3

The regulations for lots in a Mixed Use Zone are set out in Table 10.3.1 below.

Table 10.3.1: Zone Standards for Mixed Use Zones

Lot Dimensions		Setbacks	
1 Lot area (m <sup>2</sup> )		1 Front yard setback (m)	
2 Lot frontage (m)		2 Exterior side yard setback (m/ft/m)	
		3 Interior side yard setback (m)	
		4 Rear yard setback (m)	

87  
4 | Zoning By-law No. XX



# 1 | Other Programs – Regulation Changes



**DBL – VBBL Updates**

*July 2019*

**PDS – New Secondary Suites and Houses in RS**

**PDS – Climate Emergency Response**

**PDS – Passive House Incentives**

**PDS – High Density Housing for Families and Children**

**PDS – Shoreline Setback Regulations**

**DBL – Process Improvements for Low Density Housing**



# 1 | Where We Are In The Process



**Spring – Winter 2018**

## Phase 1: **Project Start Up**

- Established inter-departmental project team, external advisory panel (RREG)
- Best practices review
- 1st round of regulatory updates to Council
- Engagement - ideas and issues identification



**Winter – Summer 2019**

## Phase 2: **Develop Options & Directions**

- Issues refinement, prioritization and exploration
- Zoning web page and document library, user guide
- 2nd round of regulatory updates to Council
- Ongoing consultation

**Fall 2019 +**

## Phase 3: **Initiate Implementation**

- Ongoing consultation



# 1 | Engagement Activities Summary



- Established external technical expert group (16 members)
- Held first roundtable event - November 2018 (68 participants)
- Hosted 6 pop-ups and 2 open houses (200+ participants)
- Reached out to various target groups
- Met with and surveyed land use advisory committees
- Consulted with 650+ staff from various departments





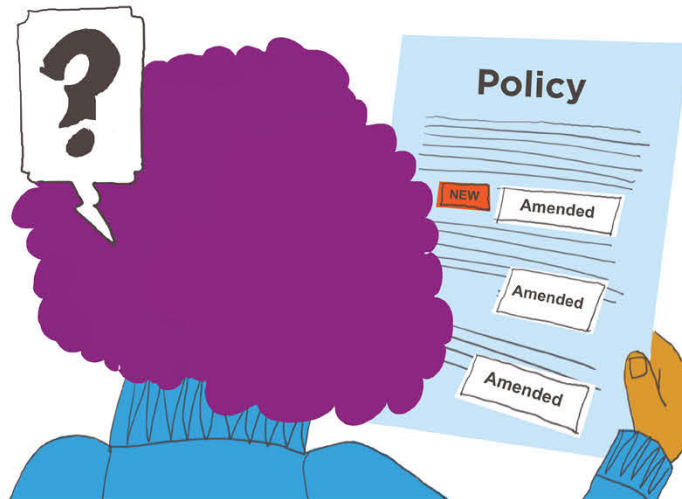


## FOUR KEY THEMES

**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**

**Consulted 1000+**  
members of the public and staff

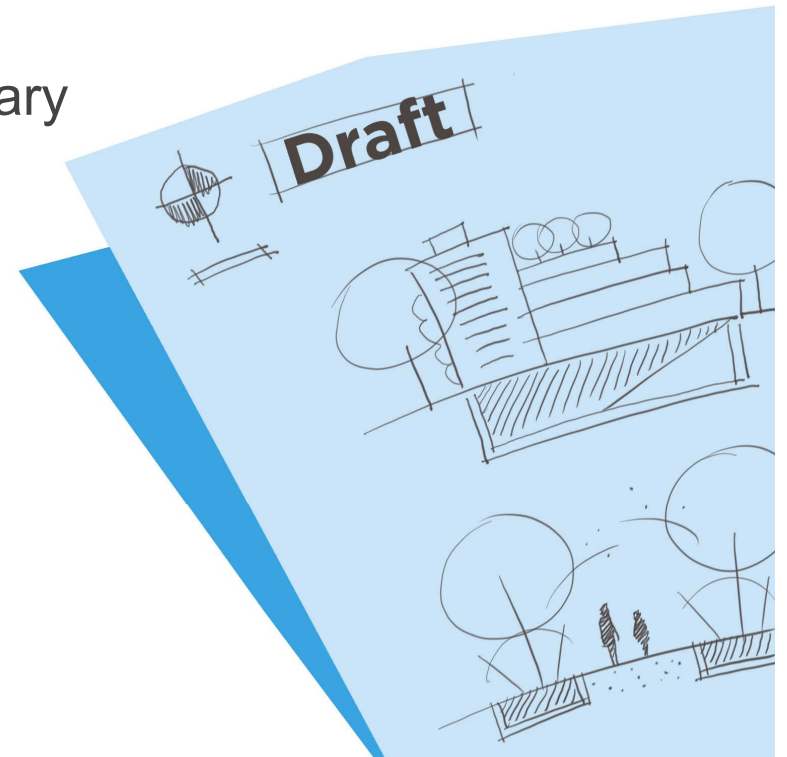


# What We've Been Working On



## 2 | What We've Been Working On

- New format for Z&D By-law – implemented for sections 2, 10, 11
- Repealed 24 outdated policies and guidelines
- Created zoning website/document library
- Introduced user guide
- Removed gender references ('he' and 'his')





# 2 | New Format

Section 2

## Section 2

### Definitions

In this By-law, unless the context otherwise requires, the term in the left column of the table below has the meaning provided in the adjacent right column of the table below.

[Note: Individual land uses that fall within one of the twelve defined general land use categories, which are in bold below, are indicated with the corresponding letter and colour as follows:

- A** Agricultural Uses
- C** Cultural and Recreational Uses
- D** Dwelling Uses
- I** Institutional Uses
- M** Manufacturing Uses
- O** Office Uses
- P** Parking Uses
- R** Retail Uses
- S** Service Uses
- T** Transportation and Storage Uses
- U** Utility and Communication Uses
- W** Wholesale Uses

The letter and colour markers are for information purposes only and do not form part of this By-law. Any individual land use that is included in a general land use category and not separately defined will have the ordinary dictionary definition.]

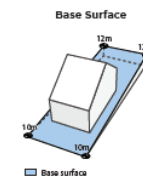
[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]

Term	Definition
<b>A</b>	
Accessory Building	A building: <ul style="list-style-type: none"> <li>(a) the use or intended use of which is ancillary to that of the principal building situated on the same site, but does not include an additional dwelling unit to a dwelling unit already existing; or</li> <li>(b) which is ancillary to the principal use being made of the site on which such accessory use is located.</li> </ul>

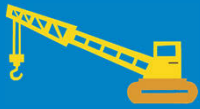
Section 2

Animal Products Processing	The use of premises for the processing of hides, skins, tankage, feathers, bristles, human hair, or other crude, inedible animal products, or for the tanning, curing, or dressing of furs, hides or skins.	<b>M</b>
Arcade	The use of premises for four or more machines on which games are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use.	<b>C</b>
Artist Studio	Where used without a qualifier, both an artist studio - class A and an artist studio - class B.	<b>C</b>
Artist Studio - Class A	The use of premises for the production of dance, live music, creative writing, painting, drawings, pottery or sculpture, video, moving or still photography, none of which involves amplified sound or one or more of the materials or processes specified under artist studio - class B.	<b>C</b>
Artist Studio - Class B	The use of premises for the production of: <ul style="list-style-type: none"> <li>(a) dance or live music involving electronically amplified sound;</li> <li>(b) moving or still photography (excluding video) involving on-site film processing; or</li> <li>(c) paintings, drawings, pottery or sculpture involving the use of fibreglass, epoxy and other toxic or hazardous materials or one or more of the following processes: welding, woodworking, spray painting, silk screening or fired ceramics.</li> </ul>	<b>C</b>
Arts and Culture Indoor Event	An event of an artistic or cultural nature, including but not limited to visual, performing, media, literary, craft or interdisciplinary arts, for a maximum of 250 persons, which occurs not more than three days per month in a building.	<b>C</b>
Auction Hall	The use of premises for the sale of goods where the purchasers are invited to make competitive bids for the goods offered for sale.	<b>S</b>
<b>B</b>		
Barber Shop or Beauty Salon	The use of premises for the styling, cutting, or chemical treatment of hair.	<b>S</b>
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, existing	

[continued on the next page...]







**Section 10**

## Section 10

### General Regulations

The regulations below apply to all zoning districts, unless otherwise specified.

*[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]*

Section	Term and General Regulations
<b>10.1</b>	<p><b>Antennae</b></p> <p>10.1.1 Except as exempted by the provisions of section 5.15, no person shall erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning.</p> <p>10.1.2 The Director of Planning may permit in any district, antennae including satellite dishes used for the transmission or reception of radio, television, satellite, microwave or related communications together with related masts, mechanical equipment and mechanical rooms, whether or not they are ancillary to the principal use on the site, and may permit such antennae at a greater height than otherwise permitted by this By-law provided that:</p> <p>(a) the Director of Planning is satisfied the antennae will not have an unduly detrimental effect on the site or adjacent properties, having particular regard to visual impact; and</p> <p>(b) before granting approval the Director of Planning notifies such adjacent property owners or persons the Director of Planning deems necessary.</p>
<b>10.2</b>	<p><b>Birds and Animals</b></p> <p>10.2.1 Buildings or runs for the shelter or accommodation of birds or animals in any districts except RA-1 shall be located no closer than 9.1 m from any dwelling and 18.3 m from the front line of the site and, as accessory buildings, shall conform with all other applicable provisions of this By-law.</p> <p>10.2.2 Despite section 10.2.1, a building or other enclosure for keeping one or more hens:</p> <p>(a) must be no more than 9.2 m<sup>2</sup> in floor area;</p> <p>(b) must be no more than 2 m high;</p>

Formerly 10.27

Formerly 10.18

*[continued on the next page...]*

**Section 11**

## Section 11

### Additional Regulations for Specific Uses

Whenever any of the following uses are permitted in any district pursuant to any provisions of this By-law, the following additional regulations shall apply unless otherwise specified.

*[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]*

Section	Term and Regulations
<b>11.1</b>	<p><b>Adult Retail Store</b></p> <p>11.1.1 Premises used as an adult retail store shall not be issued a permit for an arcade and premises used as an arcade shall not be issued a permit for an adult retail store.</p> <p>11.1.2 Adult retail stores shall be restricted to a maximum floor area of 278 m<sup>2</sup> and a maximum premise frontage of 7.6 m.</p> <p>11.1.3 Any development permit issued for an adult retail store shall be limited in time to three years.</p>
<b>11.2</b>	<p><b>Artist Studio and Residential Unit Associated with an Artist Studio</b></p> <p>11.2.1 Where an artist studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the artist studio.</p> <p>11.2.2 The total minimum and maximum size of an artist studio when combined with a residential unit associated with and forming an integral part of an artist studio shall be 47 m<sup>2</sup> and 500 m<sup>2</sup>, respectively.</p>
<b>11.3</b>	<p><b>Arts and Culture Indoor Event</b></p> <p>11.3.1 An arts and culture indoor event is not a permitted use in a dwelling unit.</p>
<b>11.4</b>	<p><b>Bed and Breakfast Accommodation</b></p> <p>11.4.1 A maximum of two bedrooms accommodating a maximum of four bed and breakfast guests may be permitted in a dwelling unit.</p>

Formerly 10.29

Formerly 11.18 and 11.19

Formerly 10.37

Formerly 11.4

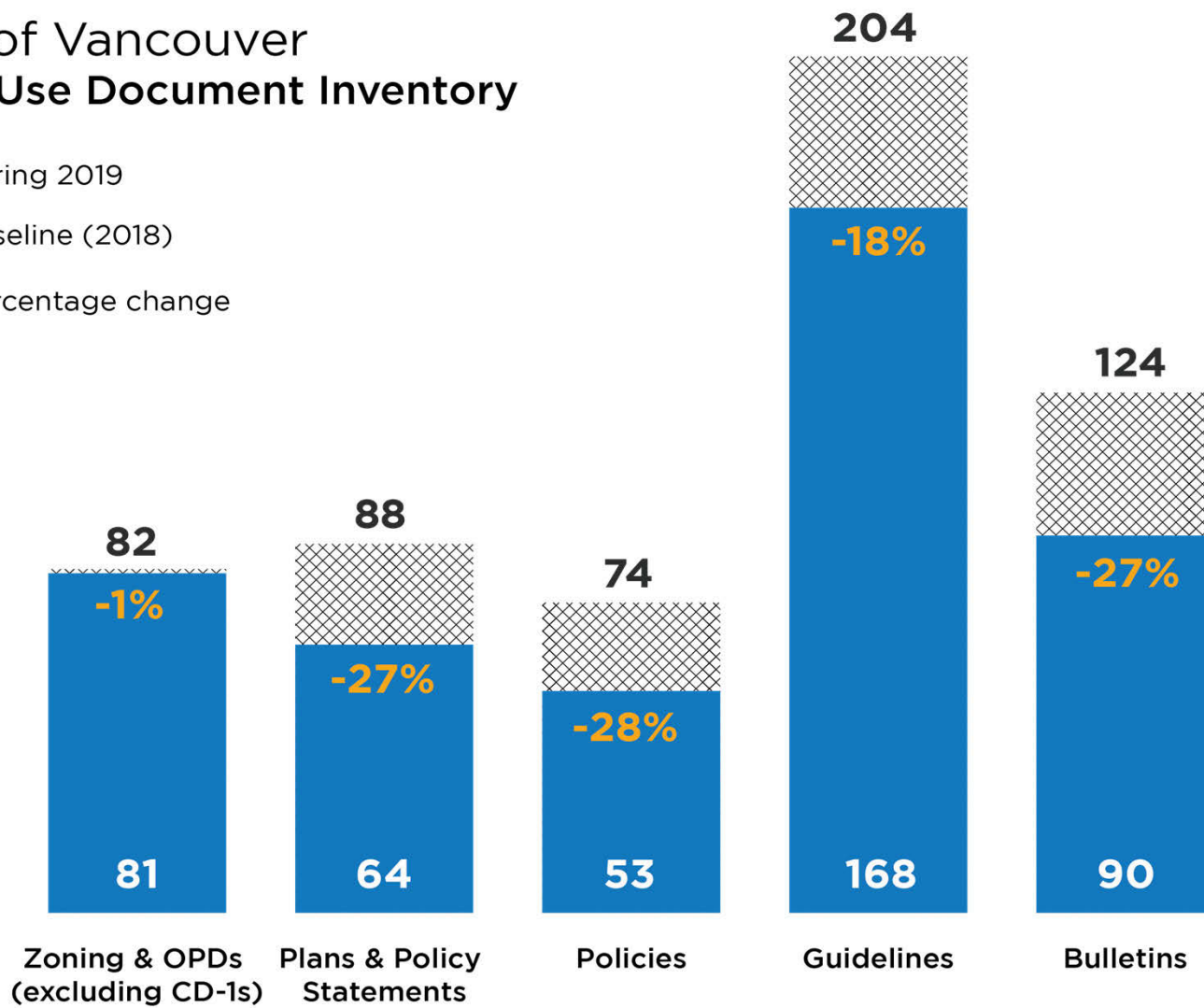
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## 2 | Land Use Document Inventory

### City of Vancouver Land Use Document Inventory

- Spring 2019
- Baseline (2018)
- Percentage change





We turned **60**  
web pages into



**1** Z&D By-law  
landing page

**2** Zoning & Land Use  
Document Library

**3** Amendments  
page



### Objectives

- **Make it easier to find documents**
  - Drive users to one place:  
[vancouver.ca/zoning-library](https://vancouver.ca/zoning-library)
  - Fewer clicks
- Create a **comprehensive** repository of regulatory documents
- **Organize** the documents
- Establish a **naming convention**
- Enable users to **find information** in different ways
- **Complement** project/program web pages

**Zoning and land use document library**

Development in Vancouver is guided by a collection of regulations and other related documents that set out the rules and expectations for what is possible.

Rules generally vary depending on where a property is located, and the type of project that is being proposed.

**Find documents related to your property**

To determine what can be built on a property, find the regulations and policies that apply for an address.

When you are ready to design a project in preparation for a permit application, review the applicable guidelines and bulletins.

**Contents**

- Zoning and Development Bylaw**
  - Zoning district schedules
- Official development plan bylaws**
- Policies**
  - Area specific plans
  - Policy statements
  - Rezoning policies
  - General policies
- Guidelines**
  - Area specific
  - Zoning district
  - Non-residential projects
  - Residential projects
  - General
- Bulletins**
  - Area specific
  - Non-residential uses
  - Rezoning related
  - Topic specific

**Find the zone**





# User Guide to the Zoning and Development By-law

These pages are intended to make the Zoning and Development By-law easier to understand and use by outlining how to find basic zoning information. These pages do not form part of Zoning and Development By-law No. 3575 and are for information only.

## A. Authority and Purpose of the Zoning and Development By-law

The statutory authority to regulate zoning is granted by the Vancouver Charter. The Charter is a provincial statute that specifies the types of by-laws the City can create and what the by-laws can regulate.

In keeping with Charter authority, the Zoning and Development By-law establishes regulations for the development of land in the City of Vancouver. This includes the types of uses allowed, where a building can be located on a site, its height and size, and other provisions necessary to enable good city building. These regulations reflect the City's values and goals, as contained in Council-adopted policies and plans.

## B. Zoning and Development By-law Structure

The by-law is organized into three main parts:

- Sections 1 to 16 which include administration, definitions, enforcement, general regulations and use-specific regulations
- Zoning district schedules and comprehensive district schedules (site/area-specific zoning regulations)
- General Schedules which include regulations on landscaped setbacks, building lines, costs schedules, and stipulated rents at initial occupancy for secured market rental housing

A set of appendices provide related information, but do not form a part of the by-law.

For more information on these sections please visit [vancouver.ca/zoning](http://vancouver.ca/zoning).

## C. How to Use this By-law

The following eight steps describe how to identify what uses are allowed on a site, the size and location of the structures that can be built, and other development-related regulations. It is the responsibility of the applicant to review all the relevant regulations in the Zoning and Development By-law and related by-laws.

### 1. Determine your property's zoning designation:

Visit the City's website at [vancouver.ca/zoning](http://vancouver.ca/zoning) and review the map to find your zone.

The city is divided into zoning districts, which are organized into five broad categories (Limited Agriculture, Residential, Commercial, Industrial and Heritage) and comprehensive development districts, which typically apply to individual sites.

### 2. Review section 5 of the by-law to confirm a development permit is required:

Section 5 sets out which uses, structures, and activities do not require a development permit.

### 3. If a development permit is required, review the district schedule to determine the uses allowed in your zone and what regulations apply to your property:

Once you have determined what your site is zoned, refer to the zoning district schedule or comprehensive district schedule that applies to your site to determine what uses are allowed on your property and the specific regulations (see Part D of this user guide for information on the structure of a district schedule).

If the use you are considering is a conditional use (e.g. a use that may have an adverse impact on surrounding sites) it will be subject to a more rigorous review. If it is allowed it may be subject to specific conditions. Check to see if there are any additional conditions in section 3.3 of the district schedule that apply.

Uses that are not listed in the district schedule may still be considered if they are deemed to be comparable in nature to a listed use in the same district schedule (section 3.2.Z of some district schedules).

If any of the regulations can be varied by the Director of Planning, refer to the guidelines listed at [vancouver.ca/zoning-library](http://vancouver.ca/zoning-library) to determine the criteria for varying the regulations. The guideline documents are organized by location/zone and land use/project type.



# Today's Workshop

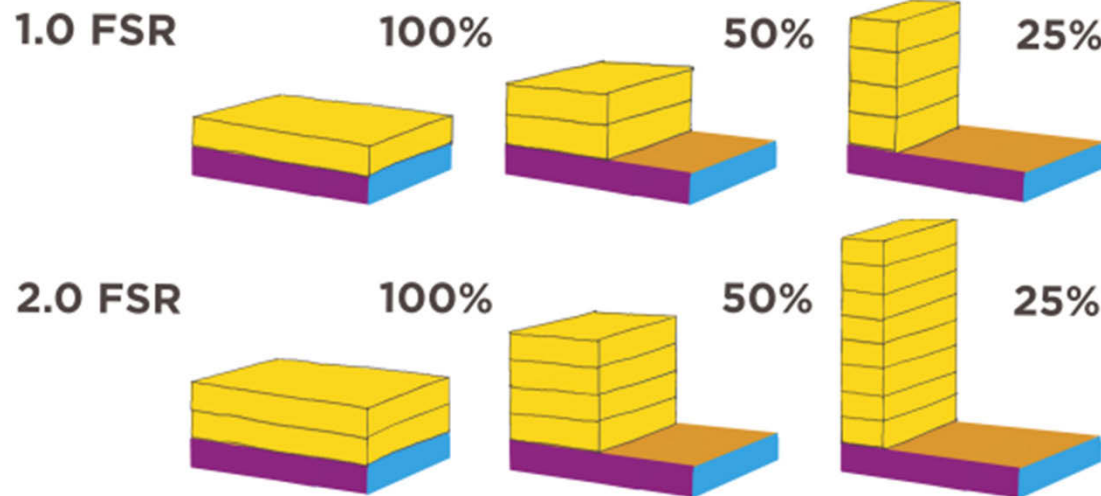




## 3 | Purpose Of Today's Workshop

- Focus is on **calculating floor area and building height:**
  1. **Ideas to simplify** how they are calculated
  2. **Determine which regulations need to be updated,** clarified or are no longer relevant
  3. **Identify objectives** which are not adequately addressed by the current regulations
- **Consider trade-offs** that can be made to reduce regulations

# Calculating Floor Area

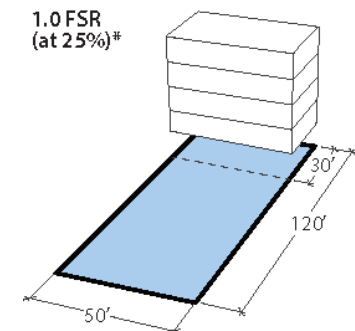
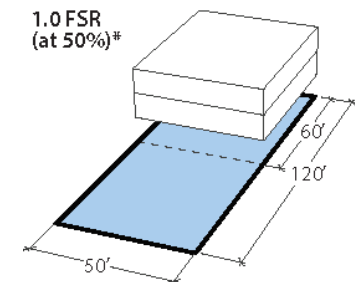
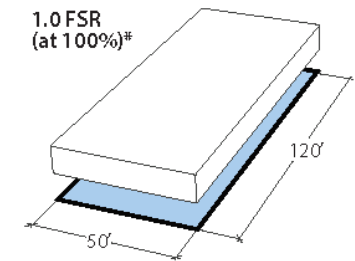






## 4 | Calculating Floor Area – Concepts

- **Gross floor area** (all the floor area of a building)
- **Net floor area** (floor area minus exclusions)
- **Floor space ratio (FSR)** is net floor area divided by area of the site
- **Exclusions** from FSR:
  - intended to either incentivize or limit features
  - some exclusions are unlimited while others are capped



■ Site area

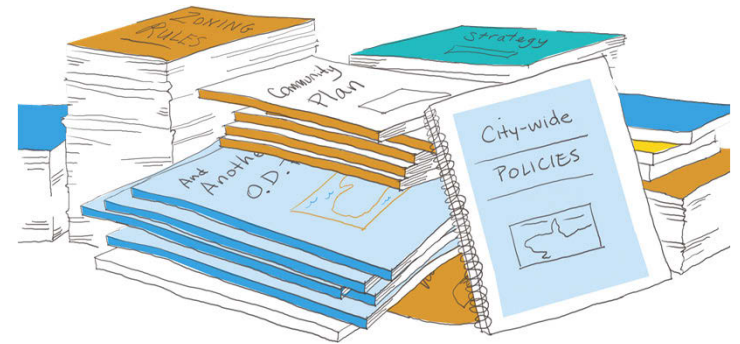
□ Floor area

\* Site area coverage %



## 4 | Calculating Floor Area – Issues Identified

- **Numerous exclusions** add complexity and time to permit review
- Exclusions are **inconsistent** across district schedules and criteria is not clear
- Many terms are **not defined**
- Some exclusions more **complicated** than others
- Some excluded floor area is **not used as intended**





# 4 | Balcony, Porches and Deck Exclusions



Districts	Residential Balcony or Sundeck		Covered Porch	Covered Veranda or Porch	Covered Veranda, Porch or Inset Balcony	Multiple Dwelling and Row house Balcony	Covered Porch+ Maximum 8% Balcony	Covered Porch+ Maximum 12% Balcony
	Open	Enclosed						
RA-1	No limit	n/a	n/a	n/a	n/a	n/a	n/a	n/a
RS-1	Max. 8%		Max. 5%					
RS-1A, 1B, 2			n/a					
RS-3			Max. 5%					
RS-5, 6			Max. 7%					
RS-7								
RT-1, 2			No limit					
RT-3								
RT-4								
RT-5								
RT-6								
RT-7								
RT-8								
RT-9								
RT-10, 11				Max. 5%				
RM-1			n/a					
RM-2								
RM-3				Max. 50% of 8%				
RM-4			No limit	n/a				
RM-5			Max. 12%					
RM-6	Max. 8%	Max. 50% of 8%						
RM-7, 8, 9, 10, 11	Max. 12%	n/a	n/a	n/a	n/a	Max. 12%	Max. 13%	Max. 16%
RM-12								
FM-1								



## 4 | Calculating Floor Area – Ideas Identified

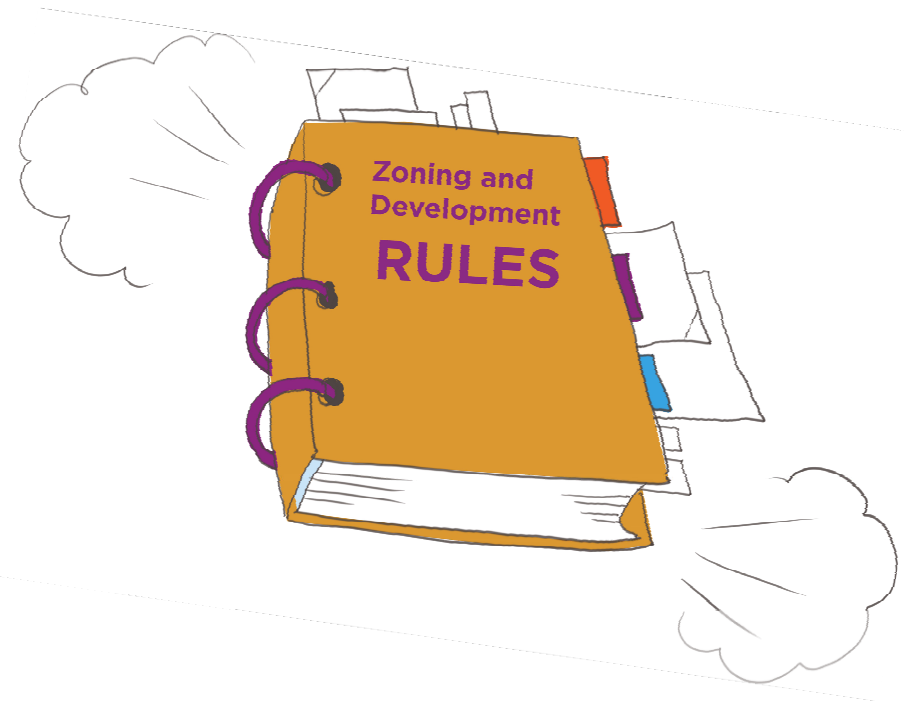


- **Regulate gross floor** area instead of net floor area:
  - no exclusions
  - increase permitted floor area to reflect gross floor area
- Make exclusions **consistent** across district schedules
- **Clarify** requirements
- Add **new exclusions** for specific features
- Make exclusions **more flexible**



## 4 | Calculating Floor Area – Other Cities

- **Floor area is defined** and clarifies what is or is not included in the calculation
- Exclusions are listed in **general regulations** section instead of district schedules
- Relevant **terms are defined** so clear what is excluded
- Floor area is **measured to the inside of exterior wall**



# Calculating Building Height



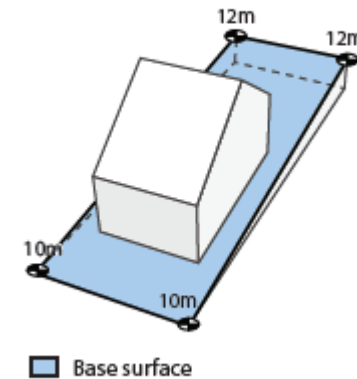




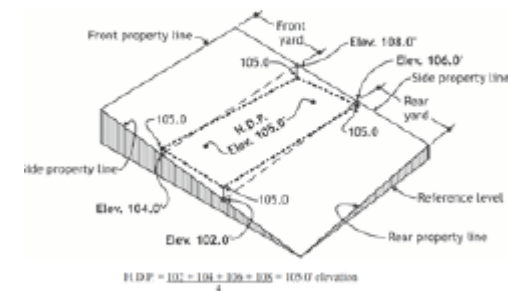
## 5 | Calculating Building Height – Concepts

- **Height** is the vertical distance measured from base surface
- **Base surface** is the hypothetical surface determined by joining building grades at the corners of a site
- **Horizontal datum plane** is the average of existing grades at the intersections of the front and rear setbacks and side property lines
  - used for LWH, garage, RS-6

### Z&D BASE SURFACE



### Z&D HORIZONTAL DATUM PLANE



Source: RS-6 Explanatory Notes



## 5 | Calculating Building Height – Concepts

- Some districts regulate a secondary envelope or setbacks above a specified height
- Height increases may be considered to accommodate additional floor area or allow features, e.g.:
  - architectural or mechanical appurtenances, chimneys
  - passive house features

### C-2 Height Envelope

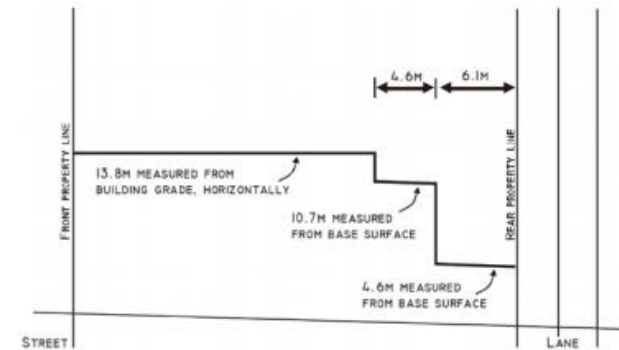
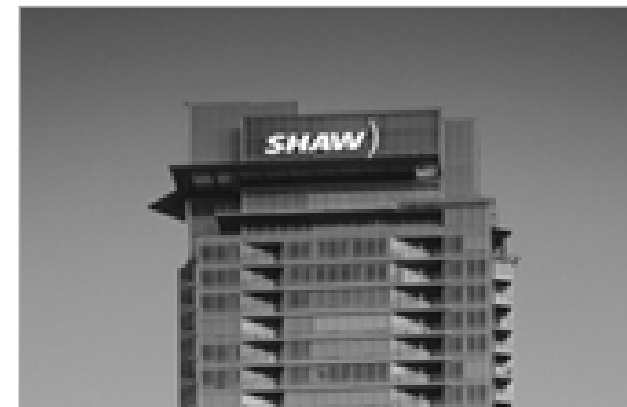


Figure 2. Height

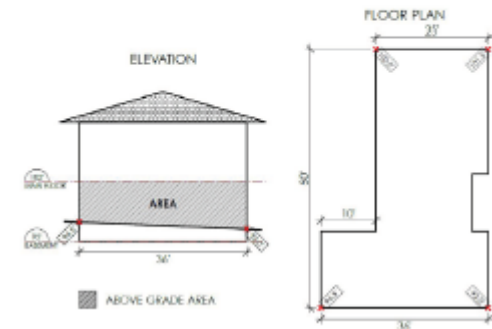




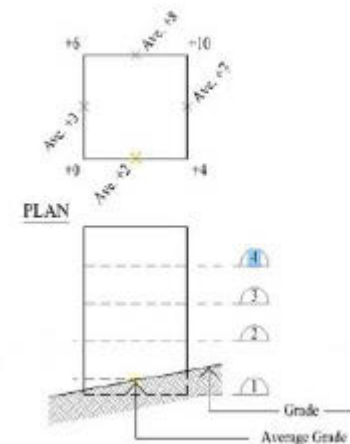
## 5 | Calculating Building Height – Concepts

- **Grade** is the surface from which height is measured
- Z&D By-law uses:
  - official building grade and existing grade to calculate height
  - finished grade to determine a basement or cellar
- VBBL uses:
  - finished grade on lowest side of the building to determine first storey and height

### Z&D AVERAGE FINISHED GRADE



### VBBL METHOD





## 5c | Calculating Building Height –Issues

- Building height is **measured differently** in RS districts
- Grade is **measured differently** in Z&D By-law and VBBL
- No partial/half-storey in VBBL
- **Lack of clarity** in districts without an upper height limit
- Determining grade is **complicated/ not clear**
- **Lack of flexibility** for specific features, slope



## 5 | Calculating Building Height – Ideas

- **More consistency** across district schedules
- **More flexibility:**
  - to accommodate sloped sites
  - for roof top patios and amenities
- **Improve clarity:**
  - clarify upper height for all district schedules
  - eliminate height relaxations or be clear about absolute maximum



# Next Steps

