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Subject: Memo - Accessible Path of Travel Policy Review RTS 10317

Attachments: Memo to Mayor and Council - Accessible Path of Travel Policy Review (RTS....pdf

Greetings Mayor and Council,

Please see the attached memo regarding Accessible Path of Travel Policy Review RTS 10317. A short summary is as follows:

- Outlines/clarifies the options available to Council when considering the report recommendations
- Summarizes process and responds to questions from speakers
- Responds to questions directed to staff following the Public Hearing on July 18, 2018.

Should you have any questions, please contact Chris Robertson at 604.873.7684 or Chris.Robertson@vancouver.ca

Best,
Sadhu

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MEMORANDUM

July 24, 2018

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Paul Mochrie, Deputy City Manager
Katrina Leckovic, City Clerk
Gil Kelley, General Manager, Planning, Urban Design & Sustainability
Kaye Krishna, General Manager, Development, Buildings & Licensing
Lynda Graves, Administration Services Manager, City Manager's Office
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FROM: Chris Robertson
Assistant Director, City-Wide and Regional Planning

SUBJECT: Accessible Path of Travel Policy Review (RTS #10317)

This memorandum summarizes the intent of the Accessible Path of Travel Policy Review and provides responses to questions raised by speakers at the Public Hearing on July 18, 2018 and follow-up questions directed to staff by Council.

Accessible Path of Travel Policy Review

- The Accessible Path of Travel (APT) Policy Review recommends amendments to the Zoning & Development By-law and Building By-law to improve the visitability/adaptability of low-density housing across the city in response to Council's directions to:
 - review the feasibility of mandating an exterior accessible path of travel from the street to at least one exterior entrance of all one- and two-family houses, laneway houses, secondary suites, townhouses and stacked townhouse type units; and
 - explore opportunities for regaining the amount of usable space available prior to the introduction of the adaptability provisions in the 2014 VBBL in one- and two-family dwellings on sites with a frontage of 10.06 m (33 ft.) or less.
- The proposed policy changes in the APT Policy Review are recommended as a starting point to increase the number of visitable low-density residential units across the city. These housing units, along with the majority of new housing starts that are already

constructed to be visitable/accessible (i.e. apartment units) and adaptable over time, provide a diversity of housing options.

- As part of the Accessible Path of Travel Policy Review, staff held seven consultation meetings since April 2016 with the Persons with Disabilities Advisory Committee (PDAC), the Seniors' Advisory Committee (SAC), representatives of disability associations and disability and seniors' self-advocates and the development/building industry. Meeting formats and processes were adjusted along the way based on input from meeting participants including PDAC and SAC.
- Existing enhanced accessibility provisions in the VBBL exceed those of other Canadian municipalities, and should Council adopt the proposed recommendations, Vancouver will be one of the first Canadian municipalities to adopt an accessibility policy that mandates an accessible path of travel for townhouses and rowhouses.
- Monitoring development and building applications for new low-density housing meeting visitability/adaptability requirements, along with any further policy improvements will be coordinated with the development of a future city-wide Accessibility Strategy.

Questions from Council:

1. ***Is it possible to refer this back to staff to specifically consult further on questions of rolling back the adaptability and livability requirements (e.g., width of stairs, hallways, 3-piece adaptable bathrooms)?***

Further to staff direction provided at the Public Hearing, clarification with respect to Council's options is provided below:

1. Approve recommendations as is; or
2. Not approve the recommendations, and refer the report back to staff for further research and consultation; or
3. Amend the recommendations*

*Following the public hearing staff requested advice on the options available to Council. Under Section 566(5) of the Vancouver Charter, Council can amend the recommendations based on representation at Public Hearing.

2. ***What are the key reasons for changing the 2014 building code requirements that require accessible upper floors (e.g. stair width for stair lift)? Cost? Size of units?***

The key reasons to amend the 2014 VBBL requirements are:

- Some of the 2014 VBBL regulations are in conflict with other building/trades codes, and/or are resulting in “paper compliance” without achieving real adaptability. Two examples:
 - VBBL requires either an adaptable 3-piece washroom on the main level or a 2-piece washroom with a concealed “rough-in” for a future tub/shower which conflicts with plumbing code and health & safety standards. Moreover, a 2-piece washroom has been demonstrated to be sufficiently adaptable to a future 3-piece accessible washroom.
 - VBBL requires wider stairs but, in townhouse/rowhouse units, the stairs are typically designed with landings at each end, which prevents the installation of a future chairlift.
- Some of the VBBL requirements compromise living space in townhouse units:
 - A townhouse unit is typically as narrow as 12ft., and up to 3 levels. The cumulative impact of wider stairs, corridors and door jams negatively impact the size of rooms on the upper levels and, in some cases, can make bedrooms unfeasible. As a result, units may have one fewer bedroom, or the unit width and size must be increased, potentially resulting in a net loss of units in a development. Both outcomes significantly impact the function and affordability of the unit.
 - On the main floor, limited living space is further constricted by a 3-piece adaptable washroom, which must be large enough to accommodate a future shower/tub. (Staff has observed that the shower/tub is rarely installed as part of the original construction).
- The approach in the recommended policy changes is to tailor the VBBL requirements, to distinguish between units that are “more” suitable to visitability and future adaptation, and units that are “less” suitable. For example, in a stacked townhouse development:
 - Upper units may have an entry that is up to 7 ft. above grade, be as narrow as 12 ft. wide, with living space spread across 3 levels, making it very challenging to achieve visitability/adaptability.
 - Some multi-level units which are closer to grade (ie. within 5 ft.), while still “less suitable” for future adaptation to fully accessible units, can still provide visitability and a degree of adaptability;
 - Garden units, which are typically within 3 ft. of grade and have living space on one level, are very suitable for visitability and future adaptation for full accessibility.
 - In the proposed VBBL revisions, some requirements would be waived for the “less” suitable units in order to regain living space and affordability (ie. wider stairs, corridors and door jams on upper levels). Requirements for “more” suitable units would be increased (ie. larger kitchen radius in garden units).
- The challenge in the APT Policy review is to strike a balance between providing more inclusive housing forms and maintaining the livability and affordability of low-density housing. Over the last 4 years of applying the 2014 VBBL adaptability

requirements, Building Review Branch staff and the development community found that some of the VBBL adaptability regulations were reducing living space, specifically in townhouse/rowhouse units, without achieving the intended outcome of increased accessibility. The proposed revisions to the VBBL requirements are intended to achieve improved, real adaptability in units that are the most suitable, while regaining some of the living space and affordability “lost” under the 2014 VBBL requirements and maintaining unit function and affordability.

3. *Mr. Courteau of the PDAC said costs of full accessibility (visitability, adaptability, livability) = minimal. Staff response?*

- A quantity surveyor study undertaken through the APT Policy Review showed that the implied construction costs of mandating an accessible path of travel to 20% of townhouse/stacked townhouse units would be negligible. The assumption, in this study, was that the 20% visitable units would be close to grade, and require either no ramping or very minimal ramping (ie. no chairlift).
- Discussions with the Quantity Surveyor, developers and architects have suggested that the cost of adaptability measures (such as no-step entries or wider door jams) are not significant, in terms of “per item” construction. However, these costs do not take into account the impact of the lost floor area when constructing on a site of a fixed area, and constrained within an envelope of fixed size. This may cause developers to drop one or more unit per floor (depending on their specific constraints) leading to a commensurate rise in cost for the remaining units. The loss of a unit would hurt smaller developments disproportionately to larger developments as the cost of the lost units could not be distributed as widely.

4. *As included in the Yellow Memo, the rationale for not requiring 100% of new low density dwelling units to have an accessible path of travel is the impact to processing times and delays in delivering housing. How much delay? How many requests for relaxation do we predict?*

- By mandating 100% accessibility and providing exemptions or relaxing requirements, the City would add additional review time to applications seeking “relaxations”, potentially at both the Development Permit and Building Permit stages. For example, for one- and two-family dwellings, the target to process an “outright” application is 24 weeks. A “conditional” application, which requires additional review to assess relaxations and compliance with design guidelines, can take more than 30 weeks.
- For one- and two-family dwellings, Staff’s review found that mandating an accessible path of travel was not feasible because of the competing requirements and constraints on these small sites, including:
 - providing access to 3 or more units (ie. basement suites, lock-off units, laneway houses);
 - retaining mature trees;

- character house retention;
 - providing access to site functions (ie. private outdoor spaces; garbage, parking);
 - limited space in yards (ie. to accommodate ramps for 6+ feet of vertical climb);
 - accommodating significant slopes, including shared retaining walls and steps with neighbouring properties;
 - floodplain construction levels
- Based on this analysis, a significant proportion of developments would require a relaxation of a requirement to provide an accessible path of travel to each unit. It is extremely difficult to predict a percentage of applications, as the need for a relaxation depends on the particularities of each site, and each proposed development (ie. whether secondary suite, lock-off units, and/or laneway house is proposed).
 - For townhouse developments, form of development studies by staff and external consultants found that 20% visitable units was an achievable target. In some of the case studies, the 20% target was “just” achievable (or was achievable with a height relaxation). In other case studies, the 20% target could be exceeded (ie. up to 35%-40% visitable units). Based on this analysis, a requirement for an accessible path of travel to 100% of units would result in virtually all DP applicants seeking a relaxation.

5. ***Report recommendation A.i.b gives the Director of Planning the ability to relax the minimum 20% of unit requirements or height requirement if compliance results in unnecessary hardship; and***
6. ***Report recommendation A.ii.b. - What would be a condition peculiar to the proposed development that could justify relaxing the requirements for an accessible path of travel?***

Examples of “particularities” that could warrant a relaxation to the requirement of an accessible path of travel may include:

- *Significant slope or other topographical conditions;*
- *Retention of mature trees; and*
- *Retention of heritage assets (ie. character house to be integrated into development)*

7. ***Has consideration been given to how the 20% Townhouse/Rowhouse visitability requirement will be distributed in the various neighbourhoods of the city?***

Townhouse/rowhouse development currently occurs in most neighbourhoods across the city and as more townhouse/rowhouse zones are introduced, staff anticipate that townhouse/rowhouse development will continue and visitability requirements will apply.

8. ***Where does the requirement for 5% of housing to be accessible come from?***

The City’s “Housing Design & Technical Guidelines” require that 5% of units in COV-secured social housing developments be wheelchair accessible.

9. *Can balconies/patios be made accessible to allow disabled residents to access from the inside of the unit?*

There are design solutions that can accommodate flush balconies and ramps can be added. We expect that overtime new products will come online to serve accessibility needs.

Key questions raised by Speakers at Public Hearing:

1. *Why only 20% visitable townhouse/rowhouse units? An accessible path of travel should be mandated for 100% of new dwelling units and relaxations based on site conditions should be considered on a case-by-case basis.*

- As part of the APT Policy Review, “form of development” studies (in-house review & external design consultancies) were undertaken with the goal of establishing the maximum percentage of visitable units that could be achieved on “most” sites in existing RM zones. Stacked, non-stacked, courtyard and single row developments were tested in various RM townhouse zones. Typical site conditions and constraints were considered, including: frontage, topography, parkade access and tree retention. The conclusion of these studies is that 20% visitable units is achievable on “most” sites in “most” zones.
- A main study objective was to establish an achievable unit percentage that ensured DP applications could be reviewed and processed efficiently, thus avoiding a large number of DP applications requiring relaxations or variances, as this would add to permit processing time, delays and project cost.

2. *Why is it not possible to mandate an accessible path of travel to one and two family dwellings?*

- Vancouver’s single family neighbourhoods have been changing, over the past few decades, to respond to a demand for affordable housing and increase the diversity of housing units-- including secondary suites and laneway houses. These units form a very important part of our rental and affordable housing stock in lower-density neighbourhoods. To support this housing stock, the City of Vancouver has regulations that incentivize livable basements. Livable basements effectively push the main floor of the “main house” higher above grade - so it is very challenging to provide an accessible path of travel to either the basement unit or the main unit.
- Now that multiple units are being located on these “single family” sites, these sites have significant pressures/constraints, including: providing access to 3 or more units, and to parking, retaining mature trees, accommodating significant slopes.

- Insofar as it remains a Council priority to encourage livable basements and multiple units on a single family site, it is not feasible to mandate an accessible path of travel to every one- and two- family dwelling.

3. *Why have some other jurisdictions around the world been able to mandate an accessible path of travel to low-density housing types?*

- In the few jurisdictions where an accessible path of travel is mandated for low-density housing types, the typical housing form is a single-storey house, slab-on-grade, without a basement. Vancouver is unique in that its regulations incentivize livable basements to create affordable, livable dwelling units on a traditional “single family” site.
- In London and Scotland, where basements are not routinely constructed in new-builds, an accessible path of travel to low-density housing is mandated. Relaxations to the requirements are considered on a case-by-case basis and these relaxations may result in inconsistent outcomes “on the ground”, as well as longer processing times, delays and potential increases to project cost.

4. *Why is the requirement for a 3-piece bathroom being waived on the ground floor of all townhouse and rowhouse developments? A shower is necessary even when visiting so every new dwelling unit should have a shower on the ground level.*

Refer to response #2 in “Council questions” above.

5. *Why do the policy changes necessitate waiving the adaptability requirements on the upper levels of low-density dwelling units? These adaptability requirements are necessary to allow residents to age in place and accommodate future disabilities.*

Refer to response # 2 in “Council questions” above.

6. *Mandating an accessible path of travel for laneway homes using the rear lane is not acceptable due to the poor condition of lanes in the City.*

The mandated accessible path of travel to laneway houses on sites with a frontage of 50 ft. or more can be provided from the street or from an on-site parking space. The 50 foot frontage provides adequate side yard space to allow access to a laneway house with a no-step entry into the unit.

This memo summarizes the intent of the Accessible Path of Travel Policy Review and provides responses to key questions from speakers at the Public Hearing on July 18, 2018 and from Council following the meeting.



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