

From: **"Mochrie, Paul"** <Paul.Mochrie@vancouver.ca>

To: **"Direct to Mayor and Council - DL"**

Date: 11/30/2023 7:34:56 AM

Subject: Memo to Mayor and Council - Process Improvements for Private Property Rainwater Man

Attachments: Memo to Mayor & Council - Process Improvements for Private Property Rainwater Management Update.pdf

Dear Mayor and Council,

Please see the attached memo from Andrea Law. A short summary of the memo is as follows:

- This memo updates Council on the streamlined review process for private property rainwater management requirements as approved on July 25, 2023 ([RTS 15424](#)).
- The streamlining referenced in the memo aligns with Council's objective to reduce the housing construction backlog.
- The enacted bylaw will in future accelerate the private property rainwater management process, which currently averages 56 weeks start-to-finish, to approximately three weeks.
- Further, this memo provides an overview of how both new and "in-stream" development applications will benefit from the simplified private property rainwater management process.

If you have any questions, please contact Andrea Law at andrea.law@vancouver.ca.

Best,
Paul

MEMORANDUM

November 29, 2023

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Sandra Singh, Deputy City Manager
Katrina Leckovic, City Clerk
Maria Pontikis, Chief Communications Officer, CEC
Teresa Jong, Administration Services Manager, City Manager's Office
Mellisa Morphy, Director of Policy, Mayor's Office
Trevor Ford, Interim Chief of Staff, Mayor's Office
Lon LaClaire, General Manager, Engineering Services
Doug Smith, Acting General Manager, Planning, Urban Design and Sustainability

FROM: Andrea Law
General Manager, Development, Buildings and Licensing

SUBJECT: Process Improvements for Private Property Rainwater Management: Update

RTS #: N/A

This memo updates Council on the streamlined review process for private property rainwater management requirements approved on July 25, 2023 ([RTS 15424](#)), aligning with Council's objective to reduce the housing construction backlog. It addresses how both new and "in-stream" development applications will benefit from the simplified process.

Discussion:

Starting January 1, 2024 for new development permit (DP) applications, less than 3 weeks start-to-finish is anticipated for approval of simplified private property rainwater management requirements. This is achievable because of:

- regulations rewritten with clear design criteria, refined through industry engagement
- the abolition of 26 conditions from the Engineering Standard DP Conditions Library
- an end to the use of building permit and occupancy permit holds
- no rainwater documentation requirements at the rezoning and DP application stages
- a streamlined compliance verification process with a standardised, 1 page submission
- the elimination of legal agreements, upon which DP issuance was contingent
- increased reliance on registered professionals.

This replaces the present process which averages 56 weeks start-to-finish at the DP stage.

New development applications

The new process takes effect January 1, 2024. New rezoning and DP applications commenced in 2024 will benefit from the streamlined process.

Staff have also implemented measures to provide immediate permit processing relief for early “in-stream” applications. Since Council approved the transformed process in July 2023, staff have simplified all rezoning Referral Reports presented at Public Hearings for sites requiring rainwater management.ⁱ DP “prior-to permit issuance” letters have also been simplified.

“In-stream” development applications

Approximately 500 development sites requiring rainwater management were “in-stream” at various stages of the development approvals process on July 25, 2023 when Council approved the simplified process. Staff have created transition pathways for these developments, so that “in-stream” applications can also benefit from the streamlined process. This may accelerate permit issuance and may reduce a building’s cost.

For “in-stream” applications that are eligible to transition to the simplified process (see Appendix), the building’s design for rainwater management must meet the more conservative of the “release rate requirement” and “capture requirement” of the Building By-law, the conditions in the “prior-to permit issuance” letter and, if applicable, the conditions of approval in the Referral Report.

The “water quality treatment requirement” would not generally need to be carried forward into construction for projects that transition to the simplified process. This may have the added benefit of reducing a building’s capital and lifecycle costs.

Staff and industry preparedness

Since Council approved the simplified process in July 2023, staff have worked to prepare City staff and industry for the change, including:

- a new webpage (vancouver.ca/rainwater)
- departmental presentations
- a seminar hosted by the Architectural Institute of British Columbia (435 participants)
- “open-house” question and answer sessions aimed at consultants and contractors
- a seminar for the American Society of Plumbing Engineers British Columbia
- a presentation to the Independent Contractors and Business Association in BC
- the Certified Professional Update Seminar.



Andrea Law
General Manager, Development, Buildings and Licensing

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Appendix: “In-stream” development applications

a) Developments without an issued DP

Starting January 1, 2024, applicants without an issued DP may switch to the simplified process. This may accelerate DP issuance and may reduce a building’s cost. An applicant may – in response to the “prior-to permit issuance” letter – declare that the project is seeking to transition to the simplified process.

After staff confirm with Engineering Services that a project may transition to the simplified process, staff will deem the appropriate rainwater management conditions to have been met in the “prior-to permit issuance” letter and Referral Report (as applicable), by virtue of compliance with the downstream building permit application process. Generally, staff will remove any holds on building permits and occupancy permits related to rainwater management and will waive the obligation for a rainwater management legal agreement. At the plumbing permit application stage, the applicant will submit the documentation required by the Building By-law to verify compliance with the simplified process. These steps may expedite DP, BP and occupancy permit issuance, and may reduce a building’s cost.ⁱⁱ

b) Developments with an issued DP, but which have not commenced construction

Starting January 1, 2024, DP holders who have not commenced construction may elect to switch to the simplified process.ⁱⁱⁱ This may accelerate BP and occupancy permit issuance and may reduce a building’s cost.

An applicant may submit a (new or revised) plumbing permit application online, with the documentation required to verify compliance with the simplified process. After the plumbing permit is issued, the applicant may request to unwind the rainwater management legal agreement by submitting a Form C (Release) to the City. Legal Services will confirm with Engineering Services that the agreement may be unwound.

c) Developments which have commenced construction

Starting January 1, 2024, if construction of a development has commenced, it will generally not be eligible to transition to the simplified process. This is because the DP and BP have been issued. An applicant may still seek to unwind the rainwater management legal agreement by submitting a Form C (Release) to the City. Legal Services will confirm with Engineering Services that the agreement may be unwound.

ⁱ This is seen as shorter Referral Reports with a reduced number of rezoning conditions. In the transition, some Referral Reports have been presented at Public Hearings with the legacy rainwater management conditions, and these have been addressed by yellow memoranda to ensure that they also benefit from the streamlined process.

ⁱⁱ For rezoning applications and certain development permit (DP) applications – as a Condition of Approval of the Referral Report or as a Condition in the “prior-to permit issuance” letter, respectively – Engineering Services had typically required an applicant to provide a rainwater management plan for (1) release rate control, (2) volume reduction and (3) water quality treatment. On January 1, 2024, substantially equivalent requirements for release rate control and volume reduction* will come into force and effect in the Building By-law, and Engineering Services will no longer require water quality treatment. Therefore, for “in-stream” applications that have not yet been issued a DP, staff will generally consider the Condition for a rainwater management plan to have been met by virtue of compliance with the downstream building permit (BP) application process, except for any Council approved, site-specific requirements exceeding those of the Building By-law.

There are additional Conditions normally applied by Engineering Services for rainwater management. Engineering Services typically requires the applicant to sign a legal agreement before receiving a DP, and to provide a final rainwater management plan and an operations and maintenance manual before receiving a BP. Starting January 1, 2024, staff may consider all of these Conditions to have been met by the applicant: in effect, both the legal agreement and rainwater management plan become superfluous with the Building By-law process, and an operations and maintenance manual is required by the Building By-law.

* Certain sites were exempted from the volume reduction requirement under the terms of their rezoning approval (if applicable) and DP. This exemption may be carried forward.

ⁱⁱⁱ Also applicable to projects under the Certified Professional program with staged construction, if construction has not progressed beyond excavation and shoring.