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. **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
1 | Other Programs – Regulation Changes

- DBL – VBBL Updates
- 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

July 2019
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

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

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

1. I CAN’T FIND THE INFORMATION I NEED
2. EVEN WHEN I FIND WHAT I’M LOOKING FOR, I CAN’T UNDERSTAND IT
3. INFORMATION CONFLICTS WITHIN BY-LAWS AND ACROSS REGULATIONS / POLICIES
4. THE RULES ARE BEING INCONSISTENTLY INTERPRETED AND APPLIED

Consulted 1000+ members of the public and staff
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’)
# 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.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building</td>
<td>A building (a) the use or intended use of which is ancillary to the use of the principal building situated on the same site, but does not include an additional dwelling unit if a dwelling unit already existing on the site (b) which is ancillary to the principal use being made of the site on which such accessory use is located.</td>
</tr>
</tbody>
</table>

The letter and colour markings are to identify the meaning applicable to the term as follows:

- **A** Agricultural Uses
- **B** Parking Uses
- **C** Cultural and Recreational Uses
- **D** Retail Uses
- **E** Dwelling Uses
- **F** Service Uses
- **G** Institutional Uses
- **H** Transportation and Storage Uses
- **I** Manufacturing Uses
- **J** Utility and Communication Uses
- **K** Office Uses
- **L** Wholesale Uses

[Note: Individual land use that fall into one of the twelve defined general land use categories, which are as defined above, are indicated by the corresponding letter and colour as follows.]

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Products Processing</td>
<td>The use of premises for the processing of hides, skins, tongues, feathers, breasted, human hair, or other crude, ineligible, or otherwise unsuitable products, or for the tanning, curing, or dressing of furs, hides or skins.</td>
</tr>
<tr>
<td>Arcade</td>
<td>The use of premises for four or more machines on whichgamnes are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use.</td>
</tr>
<tr>
<td>Artist Studio</td>
<td>Where used without a qualifier, both an artist studio – class A and an artist studio – class B.</td>
</tr>
<tr>
<td>Artist Studio - Class A</td>
<td>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.</td>
</tr>
<tr>
<td>Artist Studio - Class B</td>
<td>The use of premises for the production of: (a) dance or live music involving electronically amplified sound; (b) moving or still photography (excluding video) involving on-site film processing; or (c) paintings, drawings, pottery or sculpture, involving the use of fibre-glass, epoxy and other toxic or hazardous materials or one or more of the following processes: welding, woodworking, spray painting, silk screening or fired ceramics.</td>
</tr>
<tr>
<td>Arts and Culture Indoor Event</td>
<td>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.</td>
</tr>
<tr>
<td>Auction Hall</td>
<td>The use of premises for the sale of goods where the purchasers are invited to make competitive bids for the goods offered for sale.</td>
</tr>
<tr>
<td>Barber Shop or Beauty Salon</td>
<td>The use of premises for the styling, cutting, or chemical treatment of hair.</td>
</tr>
</tbody>
</table>
| Base Surface                  | That hypotethical surface determined by joining the official established building grade 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
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 Bylaw.)

<table>
<thead>
<tr>
<th>Section</th>
<th>Term and General Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1</td>
<td>Antennae</td>
</tr>
<tr>
<td>10.1.1</td>
<td>Except as exempted by the provisions of section 6.16, no person shall erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning.</td>
</tr>
<tr>
<td>10.1.2</td>
<td>The Director of Planning may permit in any district, antennas 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 antennas at a greater height than otherwise permitted by this Bylaw provided that:</td>
</tr>
<tr>
<td></td>
<td>(1) if the Director of Planning is satisfied the antennae will not have an unusual detrimental effect on the site or adjacent properties, having particular regard to visual impact; and</td>
</tr>
<tr>
<td></td>
<td>(2) before granting approval the Director of Planning notifies such adjacent property owners or persons the Director of Planning deems necessary.</td>
</tr>
</tbody>
</table>

| 10.2    | Birds and Animals           |
| 10.2.1  | Buildings or runs for the shelter or accommodation of birds or animals in any districts except 6.16 shall be located no closer than 5.8 m from any dwelling and 18.3 m from the front line of the site and, to accessory buildings, shall conform with all other applicable provisions of this Bylaw. |
| 10.2.2  | Describe section 10.2.1, a building or other enclosure for keeping one or more birds. |
|         | (a) must be no more than 8.2 m² in floor area. |
|         | (b) must be no more than 2 m high. |

(continued on the next page...)

Section 11
Additional Regulations for Specific Uses

Whenever any of the following uses are permitted in any district pursuant to any provisions of this Bylaw, 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 Bylaw.)

<table>
<thead>
<tr>
<th>Section</th>
<th>Term and Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.1</td>
<td>Adult Retail Store</td>
</tr>
<tr>
<td>11.1.1</td>
<td>Premises used as an adult retail store shall not be issued a permit for an ancillary store or premises used as an ancillary store.</td>
</tr>
<tr>
<td>11.1.2</td>
<td>Adult retail stores shall be restricted to a maximum floor area of 275 m² and a maximum premise frontage of 7.6 m.</td>
</tr>
<tr>
<td>11.1.3</td>
<td>Any development permit issued for an adult retail store shall be limited in time to three years.</td>
</tr>
</tbody>
</table>

| 11.2    | Artist Studio and Residential Unit Associated with an Artist Studio |
| 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. |
| 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 41 m² and 500 m², respectively. |

| 11.3    | Arts and Culture Indoor Event |
| 11.3.1  | An arts and culture indoor event is not a permitted use in a dwelling unit. |

| 11.4    | Bed and Breakfast Accommodation |
| 11.4.1  | A maximum of two bedrooms accommodating a maximum of four bed and breakfast guests may be permitted in a dwelling unit. |

(continued on the next page...)
City of Vancouver
Land Use Document Inventory

- Spring 2019
- Baseline (2018)
- Percentage change

<table>
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<th>Category</th>
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<th>2018 Count</th>
<th>Percentage Change</th>
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<td>Plans &amp; Policy Statements</td>
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<td>Policies</td>
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<td>Guidelines</td>
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<tr>
<td>Bulletins</td>
<td>90</td>
<td>124</td>
<td>-27%</td>
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</tbody>
</table>
We turned 60 web pages into 3

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
  - 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
User Guide to the Zoning and Development By-law

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 18 which include administration, definitions, enforcement, general regulations, and usespecific 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 or 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.

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.

1. Determine your property’s zoning designation: Visit the City’s website at vancouver.ca/zoning and review the map to find your zone.

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

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.

4. 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).

5. If the use you are considering is a conditional use (e.g., a use that may have an adverse impact on surrounding land) 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.

6. 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 of some district schedules).

7. If any of the regulations can be varied by the Director of Planning, refer to the guidelines listed at vancouver.ca/zoning/direction to determine the criteria for varying the regulations. The guideline documents are organized by location/zone and land use/project type.
Today’s Workshop
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

1.0 FSR
- 100%
- 50%
- 25%

2.0 FSR
- 100%
- 50%
- 25%
• **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
• **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**
# Balcony, Porches and Deck Exclusions

<table>
<thead>
<tr>
<th>Districts</th>
<th>Residential Balcony or Sundeck</th>
<th>Covered Porch</th>
<th>Covered Veranda or Porch</th>
<th>Covered Veranda, Porch or Inset Balcony</th>
<th>Multiple Dwelling and Row house Balcony</th>
<th>Covered Porch+ Maximum 8% Balcony</th>
<th>Covered Porch+ Maximum 12% Balcony</th>
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<td>Max. 13%</td>
<td>Max. 16%</td>
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</tbody>
</table>
• **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**
• **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
• **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

Source: RS-6 Explanatory Notes
• 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
• **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
• 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
• **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

Phase 1: Startup
- Q1: Finalize/test amendments and document library
- Open Houses

Phase 2: Options and Directions
- Q2: Amendments to Council
- Prioritize issues and explore options
- Stakeholder workshop

Phase 3: Implementation
- Q3: Draft and test next round of amendments
- Engagement
- Council report

Phase 3 focus:
- Update administrative sections of by-law
- Simplify and update regulations (floor area, height)
- Review outright/conditional uses
- Simplify and update definitions (manufacturing, church, etc.)
- Options to address conflicts between zoning and building by-laws
- Options for a flexible framework to clarify priorities
- Develop criteria/procedures for development of new land use documents and coordinate implementation
- Continued website improvements
- Update land use advisory committees role and mandate

Ongoing consultation/working with RREG