

Committee of the Whole Report



Date: June 4, 2004
To: Mayor and Council
From: Lindsay Chase, Planning Division
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Department: Planning and Community Development
Subject: Adaptable Housing Regulations
Study Case File # 10-04

Executive Summary:

In 2003 The District of Saanich Council approved a zoning bylaw amendment requiring new apartment residential development to incorporate adaptable design features. The zoning bylaw provisions came into effect on June 1, 2004. Saanich staff circulated the amendments to other municipalities in the Capital Regional District with the aim of harmonizing standards between local municipalities. The mandatory regulations and the voluntary guidelines from Saanich are attached to this report.

Staff have reviewed the Saanich Guidelines and are supportive of their adoption in Victoria as they respond to the following policy areas:

- Corporate Strategic Plan Implementation--Consideration of adaptable housing regulations is consistent with the City of Victoria 2004 Corporate Strategic Plan. Goal #2 of the Plan is to Enhance the Quality of Life for all citizens of Victoria. Strategies to implement this goal include aligning the City's Housing Plan with the CRD's Regional Housing Strategy, define targets for types of housing needed, and to identify appropriate incentives for development. Adaptable housing regulations meet a specific housing need within the City.
- Harmonization of Land Use Regulations--In January 2004 City Council endorsed the principles contained in the Regional Housing Affordability Strategy. One of the principles relates to the harmonization of land use regulations in the CRD. This initiative would harmonize adaptable housing regulations between the 2 largest municipalities within the Capital Region District.
- Official Community Plan Implementation--The City of Victoria Official Community Plan, 1995 contains principles supporting development of a diversity of housing options. Adaptable Housing is one component of a housing strategy to implement this objective. See the Background section of this report for additional information.

Recommendations:

1. That City Council endorse the Saanich Adaptable Housing Regulations and Voluntary Guidelines and that the City Solicitor be instructed to prepare the necessary zoning bylaw amendments based on the Saanich Adaptable Housing Regulations (with requisite modifications) and that these amendments be sent forward to a Public Hearing.
2. That the Communication Plan be approved.

Respectfully submitted,

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Background

The District of Saanich Adaptable Housing provisions came into effect on June 1, 2004. The regulations apply to all new multiple dwellings in excess of 450 ft² within a building that contains an elevator. This zoning bylaw amendment represents more than 2 years of work by District of Saanich staff who engaged in an extensive consultation process with advocacy groups, housing providers, the Canadian Homebuilder Association, and the Urban Development Institute as evidenced by the following timeline:

- June 11, 2001 Council received a report from the Healthy Saanich Committee regarding accessibility in private housing and the extent to which accessibility in residential buildings is regulated by the BC Building Code. Council adopted the recommendations in the report to develop a draft policy or bylaw amendments to address accessible housing regulations in Saanich.
- Healthy Saanich Committee, September 18, 2002
- Development Process Review Committee, October 15, 2002
- CRD Inter-Municipal Planners, November 13, 2002
- Saanich Planning and Transportation Advisory Committee, January 24, 2003
- April 14, 2003 “Adaptable Housing: Enhancing Accessibility for Residential Buildings” is introduced to Saanich Council.
- May 5, 2003 Committee of the Whole considers the report *Adaptable Housing: Enhancing Accessibility in Residential Buildings*. The report was tabled to allow additional time for consultation with the development community.
- May/June 2003 staff met with housing industry groups to discuss Adaptable Housing. In response to this meeting, changes were made to the proposal.
- Staff met with housing advocacy and housing provider groups.
- July 3, 2003 staff held an information session with developers, builders and designers.

At the end of the consultation process in Saanich, comments from the development industry indicated that they were supportive of the regulations and of standardizing adaptable housing regulations between jurisdictions in the CRD. The development industry was consistently represented in this process by the Urban Development Institute, the Canadian Homebuilders Association (Victoria Chapter) and the Capital Region Housing Corporation.

The regulations address these basic adaptable housing features:

- Solid blocking behind bathroom walls for future installation of grab bars
- Wiring for automatic door opener at main entry
- Wider doors and doorways
- More manoeuvring room at suite entry and common area doorways
- Minimal thresholds throughout the building
- More accessible switches, outlets and door handles
- At least one “minimally accessible bathroom.”

The bylaw amendments adopted by the District of Saanich ensures the creation of housing units that meet the needs of the widest possible range of future residents.

For the purpose of clarity, the following definitions are provided:

Accessibility refers to the ability of residential design to accommodate the physical ability of its user.

Accessible Unit is a dwelling unit which is designed to be fully accessible and functional for a wheelchair user. An “accessible” dwelling unit is often designed specifically for a physically disabled resident, and provides them the highest level of access.

Adaptable refers to residential design that is barrier free, and can easily be modified at minimal cost to suit the changing needs of individuals over time. The reinforcement of bathroom walls to allow future installation of grab bars is an example. An “adaptable” unit provides a mid-level of accessibility, and is designed to be appropriate for all users.

Barrier-free design is design that is accessible to all residents and visitors regardless of their physical abilities. It allows free and safe access to all parts of a building or unit, and services for people with mobility, hearing and vision limitations.

Universal Design is the design of spaces and products that are usable by people of any age, stature, or level of ability. While conventional design caters to the “average” person, universal design caters to a range of functional abilities. It strives for the safety, comfort and convenience of all users.

Visitable refers to residential design that allows a resident or visitor in a wheelchair a barrier-free path to a dwelling unit, access to its main floor, and sufficient maneuvering room to access a bathroom. “Visitability” is considered a basic level of accessibility.

Victoria Context

It is generally acknowledged that the population of Canada is aging and that many communities on the west coast are experiencing this demographic shift. The 2001 population statistics for the City indicate that 35.9% of the population is above the age of 55. Population projections indicate that the percentage of population greater than 55 years of age in 2013 will be 38%. This trend is expected to continue beyond 2020. The Canadian Community Health Survey 2001 indicates that 4.5% of the population of South Vancouver Island have mobility problems requiring support (i.e. wheelchairs). This is a reliable indicator of the need for adaptable housing within Victoria and the CRD.

The advance knowledge of this demographic shift creates an opportunity for municipalities to respond by examining their existing infrastructure to identify possible future needs. That said, adaptable housing is not only housing that is targeted at an aging population. Adaptable housing meets the needs of the widest possible range of people. It is important to note that at some point in most people’s lives they will experience illness or injury that identifies deficiencies in housing that is not considered adaptable.

Moving forward with consideration of adaptable housing requirements supports Council’s endorsement of the strategic priorities contained in the Regional Housing Affordability Strategy in January 2004. One of the strategic priorities identified is the harmonization of land use regulations between jurisdictions in the CRD.

Official Community Plan

The 1995 Victoria Official Community Plan states:

There is an increasing awareness of certain groups within the population who have special support needs, such as those with disabilities. In fact, the elderly and the disabled represent an increasingly significant component of the overall population. Close to half of those over 65 years have a disability, and 35-40% of those with a disability use a wheelchair. There is a need to ensure that the community’s environment is accessible and also that a variety of accessible housing units are available (Section 3.2).

As the population continues to age (as evidenced by population projections associated with the Recreation Renewal project) the relative number of persons requiring adaptable housing will also increase.

The OCP further states “...people with disabilities are actively seeking involvement in the provision of advice and development of adaptable and affordable housing which is integrated into the general community and residential projects (Section 5.4).”

The section 'Toward an Affordable Housing Community' contains statements and objectives regarding a diversity of housing options. These objectives include "support public and private initiatives for provision of good quality housing for the elderly, people with disabilities, and the disadvantaged, and for families in need of assistance"(Section 5.6).

The same section also contains a policy which states "the City should ...iii) Promote universally accessible housing" (Section 5.7).

Housing Advisory Committee

At the May Housing Advisory Committee Meeting the Adaptable Housing guidelines from Saanich were presented, discussed and endorsed. The following comments extracted from the minutes provide a sense of the discussion which occurred:

- Opportunity to harmonize and simplify regulations (a recommendation in the RHAS)
- Creating spaces within a dwelling unit that are most suitable to use, eg: wider corridors, distances around doorways
- Saanich regulations geared to visitability and adaptability
- Voluntary vs mandatory guidelines and which actually produces adaptable housing? (note North Vancouver's experience which started with voluntary and is now mandatory for certain types of housing).
- Does this affect affordability for the renter or purchaser?
- Construction costs estimated to range from \$2,000 - \$5,000 to create extra space; however, for every unit there is 16 square feet not counted in the calculation (floor space exemption)
- Importance of mix of housing types – importance of ensuring choice exists

Committee members concluded the discussion on adaptability by agreeing that it was important for the City to support the development of adaptable housing in Victoria, and that the Saanich model (mandatory building standards and voluntary design guidelines) presented an opportunity to harmonize regulations.

Motion: That the Advisory Housing Committee endorses the concept and principles of adaptable housing, and that it supports the bylaw as adopted by the District of Saanich.

Adaptable Design and Affordability

It should be noted that the District of Saanich also explored potential impacts of requiring adaptable design on affordability. Saanich determined that incorporating basic adaptable housing features at the design stage was relatively inexpensive, and was significantly less expensive than the costs of renovation and relocation. Saanich posits that the value of adaptable housing can be expressed in terms of the functionality of the building which will last the lifetime of the building and that the long term value outweighs the cost. After consultation with the development industry additional changes were made to the Saanich bylaw which reduced the estimated cost of adaptable housing to between \$275 and \$900 per unit.

It is also important to note that exempting units smaller than 450ft² from the mandatory requirements also assists in preserving affordability with respect to small units

Analysis of Guidelines

The Saanich Adaptable Housing regulations only apply at this time to apartment type housing that includes an elevator. Voluntary Guidelines for single family residences and townhouses are also provided, however there is no incentive provided to implement these guidelines.

If these standards are adopted for the City of Victoria it should be understood that at this time the proposed mandatory regulations will only apply to new construction. It is recognized that although adaptable housing is an important type of housing, it may add additional complexity to upper storey residential conversions in areas such as downtown. Consequently, developers may elect to provide adaptable housing in renovated structures under the voluntary provisions provided.

Notwithstanding the above, City of Victoria staff recommend the adoption of Adaptable Housing Regulations and Guidelines.

Floor Space Exemption Examples

The zoning amendment proposed for Victoria would add a new section to the zoning bylaw outlining the requirements. Staff recommend that the same provisions utilized by Saanich be modified by making minor text amendments to reflect the Victoria context.

The District of Saanich regulations stipulate that units under 450m² in size are not included. The *incentive* for the development community is a floor space exemption of 1.5 m² (16 ft²) for every adaptable unit within a multiple dwelling development that includes an elevator. For a building with 10 units, this means that 160 ft² of the building floor area would be excluded from floor space ratio calculations. A building with 50 units, would have 800 ft² excluded from floor space ratio calculations.

The following table of recently approved development applications for apartment units demonstrates the amount of additional floor area that might be been constructed if the bylaw were in place:

Address	Number of Units	Total floor Area	Floor Space ratio	Additional Floor area under Adaptable Housing Regulations
The Astoria* 750 Humboldt	164	12,811 m ²	1:4.68	246 m ² (2648 ft ²)
The Parc* 160 Wilson	123	11645 m ²	1:5.48	184.5 m ² (1986 ft ²)
The Wave* 837/847 Yates	97	10212 m ²	1:5.08	145.2 m ² (1562 ft ²)
The Railyards* 751 Tyee	58	5311 m ²	1:1.98	87 m ² (936 ft ²)
The CityPlace* 827 Fairfield	53	4865 m ²	1:2.5	79.5 m ² (855 ft ²)
860 View*	57	5215 m ²	1:3.27	85.5 m ² (920 ft ²)

* The number of units does not take into account that units in these developments may be under the required 450ft² size.

If a developer elects to build additional floor space equivalent to the exemption that has been granted they may request variances for height or relaxed setbacks. These requests would be evaluated through the Development Variance Permit or Development Permit with variances processes.

Communication Plan

There are many stakeholders common to both municipalities, particularly amongst the development and advocacy communities. Staff therefore feel that the critical stakeholder groups (the development industry and housing providers) have already been engaged in consultation through the process developed by Saanich. However, staff recommend that a number of organizations be notified of the proposed amendments to the City zoning bylaw.

Specifically, staff will present this report to the Urban Development Institute later in June and an information package will be sent to housing providers, advocacy groups for persons with disabilities, the Canadian Homebuilders Association, the Architectural Institute of BC, the Planning Institute of BC and the Ministry of Community Aboriginal and Women's Services Building Policy Branch. Ministerial approval is required for this rezoning application under the Community Charter as it is within a concurrent sphere of authority. A communications plan with respect to this project is attached for information.