
COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: CONSULTATION RESULTS ON PROPOSED CHANGES TO
BURNABY'S ADAPTABLE HOUSING POLICY**

RECOMMENDATIONS:

1. **THAT** Council adopt the proposed revised Adaptable Housing Policy, as summarized in Section 5.0 of this report.
2. **THAT** Council forward a copy of this report to the Social Issues Committee for information.

REPORT

The Community Development Committee, at its meeting held on 2013 October 29, received and adopted the *attached* report presenting the consultation results on proposed changes to Burnaby's Adaptable Housing Policy, and to propose a revised policy for adoption.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

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| Copied to: | City Manager Deputy City Managers Director Planning & Building Director Engineering Chief Building Inspector Assistant Director Current Planning |
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TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT COMMITTEE

DATE: 2013 September 27

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 18000 20
Reference: Adaptable Housing

**SUBJECT: CONSULTATION RESULTS ON PROPOSED CHANGES TO
BURNABY'S ADAPTABLE HOUSING POLICY**

PURPOSE: To present consultation results on proposed changes to Burnaby's Adaptable Housing Policy, and to propose a revised policy for adoption.

RECOMMENDATIONS:

1. **THAT** Council adopt the proposed revised Adaptable Housing Policy, as summarized in Section 5.0 of this report.
2. **THAT** Council forward a copy of this report to the Social Issues Committee for information.

REPORT

1.0 INTRODUCTION

At its 2013 January 29 meeting, the Committee considered a report proposing changes to Burnaby's Adaptable Housing Policy, as a basis for consultation with representatives of the housing development industry, persons with disabilities, and seniors. The Committee approved the report which was subsequently endorsed by Council at its 2013 February 4 meeting.

This report presents the results of the consultation process with the stakeholders identified above, and proposes a revised draft policy for adoption.

2.0 BACKGROUND

The draft Adaptable Housing Policy that was the subject of the consultation process was as follows:

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Draft Adaptable Housing Policy – For Public Consultation

The City of Burnaby requires developments, through the rezoning process, to supply 20% of single-level units as adaptable in new market and non-market, multi-family developments which employ interior corridors or exterior passageways to access the dwelling units, in all areas of Burnaby.

The City of Burnaby requires purpose-built, seniors-oriented developments, through the rezoning process, to supply 100% of single-level units as adaptable in new market and non-market, multi-family developments which employ interior corridors or exterior passageways to access the dwelling units, in all areas of Burnaby.

Proposed revisions to Burnaby's existing Adaptable Housing Policy, were prompted by changes to the B.C. Building Code¹, and aimed to:

- facilitate the development of sufficient adaptable housing stock to meet current demand in Burnaby²;
- respond to Burnaby's changing demographics³;
- support emerging markets for 'flexible' housing; and
- provide both increased and consistent housing choices for Burnaby residents of all ages and abilities.

3.0 CONSULTATION ON PROPOSED CHANGES TO BURNABY'S ADAPTABLE HOUSING POLICY

This section provides an overview of the input received on the proposed policy.

3.1 Consultation Process

Based on the direction of Committee and Council, staff undertook a consultation process with interested Burnaby stakeholders during 2013 March/April. Information on the proposed policy was made publicly available on the City's website. As well, a letter inviting input on the

¹ In late 2009, new Adaptable Housing Standards were approved by the Province as part of the BC Building Code. The standards, applicable to the construction of adaptable housing in BC - whether voluntarily provided or required by local governments - were incorporated into the Code effective 2009 December 31, and are now contained within the 2012 BC Building Code.

² Since its implementation in 1989 the City's current Adaptable Housing Policy has facilitated the development of approximately 200 adaptable housing units in Burnaby's town centres. A review of the existing policy indicated that the existing supply does not correlate to Burnaby's changing demographics, nor anticipated future demand.

³ According to the 2011 National Census, approximately 14% of Burnaby's population is 65 years of age or older, with approximately 19% 60 years of age and older. The B.C. Ministry of Health predicts the population of persons 65 years and older to increase to 23% of the population by 2031. In addition, approximately 11% of Burnaby's population overall is living with an activity or health limitation. This percentage increases to approximately 21% in the 55-64 age cohort.

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proposed policy was sent to representatives of the housing development industry, and organizations representing persons with disabilities and seniors. The letter, sent to 37 groups, also offered the opportunity for individuals and groups to request a meeting with city staff to discuss the proposals.

For the convenience of the Committee, a list of invitees to the consultation is *attached* as Appendix 1. In total, five written responses were received, as follows:

- Adera Development Corporation;
- B.C. Non-Profit Housing Association (BCNPHA);
- PosAbilities;
- Urban Development Institute (UDI); and
- Voices of Burnaby Seniors (VOBS).

As well, a face-to-face meeting was requested by VOBS. Staff attended a regular meeting of VOBS, presented the proposed policy and answered questions from members. In addition, staff presented the proposed policy to the Planning and Building Department's Access Advisory Committee and collected input from the members.

3.2 Summary of Consultation Feedback

Overall, response to the proposed policy was favourable. Of the respondents, none expressed explicit concerns with moving from a voluntary to a mandatory policy, and indeed several commended the City for considering this change. As well, no concerns were received relating to the proposed provision of adaptable housing in applicable developments in all areas of Burnaby (as compared to only in town centres, as per the existing policy). Nor were specific concerns raised in relation to the proposed 20% requirement or the additional requirement for seniors-oriented housing (proposed mandatory 100% provision). However, both UDI and Adera Development Corporation requested consideration of a Floor Area Exemption as an 'off-set' to the increased floor-area per unit required to install adaptable features. This issue is discussed in more detail in *Section 4.1* below.

In addition, BCNPHA expressed concerns that the additional costs, however minimal, associated with adaptable features could present an additional barrier to the construction of non-profit housing. As such, while BCNPHA stated that it supports the right of residents of subsidized housing to live in the same quality of housing as is provided in market housing, the organization requested consideration of mitigation measures. This issue is discussed in more detail in *Section 4.2* below.

Finally, UDI expressed concern about door clearance standards in the B.C. Building Code, Adaptable Housing standards section. The Provincial Building Code Appeal Board⁴ ruled on the

⁴ The Building Code Appeal Board is the Province of B.C.'s building code dispute resolution body: <http://www.housing.gov.bc.ca/bcab/search.htm>.

issue⁵ in 2013 April. The decision of the Provincial Building Code Appeal Board provides UDI with the necessary information on this matter, confirming the requirement of the Code standard for the installation of automatic doors, should the required clearances beside the entry and bathroom doors in an adaptable unit not be provided.

4.0 ANALYSIS OF CONSULTATION FEEDBACK

As discussed above, two main issues with the proposed changes to the Adaptable Housing Policy were raised during the consultation process. This section provides a summary of staff research on and analysis of these issues.

4.1 Floor Area Exemption

One of the main issues raised during consultation is that the proposed draft policy does not recognize the additional floor area required to provide adaptable housing. Specifically, UDI and Adera Development Corporation highlighted that the additional floorspace required per unit to meet some adaptable housing features (e.g., slightly wider hallways and washrooms) results in a 'loss of yield' (i.e., number of units per development), with financial cost implications for the developer. As such, both parties suggested that a Floor Area Exemption be considered as an incentive to 'off-set' these costs, with the UDI submission suggesting an off-set of 1.85 square metres (approximately 20 square feet) per unit.

Staff reviewed and compared the average sizes of non-adaptable units and adaptable units provided voluntarily in the past in Burnaby. The difference in floor area between a standard and an adaptable unit ranged from about 0.9 to 1.85 square metres (approximately 10 to 20 square feet). As such, staff propose that:

- a 1.85 square metres (approximately 20 square feet) Floor Area Exemption be considered per adaptable unit provided.

This proposal is consistent with the Floor Area Exemptions offered by other local governments, though not all local governments with adaptable housing policies in place offer this type of off-set. Appendix 2, *attached*, contains information regarding those local governments that do, along with a summary of adaptable housing policy approaches in the region.

To support the mandatory policy to be applied through the Comprehensive Development (CD) rezoning process, the Floor Area Exemption associated with the proposed policy, and a

⁵ In 2013 March, GHIL Consultants Ltd. brought forward an application to the Provincial Building Code Appeal Board in reference to requirements for door clearances in the Adaptable Housing Code Standards. GHIL Consultants Ltd. stated in its submission to the Appeal Board that their interpretation of this requirement only referred to pre-wiring for automatic doors, rather than the installation of automatic doors, should the required clearances beside the entry and bathroom doors in an adaptable unit not be provided. The appeal was heard on 18 April 2013 and the decision supported the requirement that an automatic door opener must be installed in instances where the required clearance is not met.

definition of Adaptable Housing⁶, would need to be provided for through an amendment to Burnaby's Zoning Bylaw.

4.2 Mitigation for Non-Market Housing

The second main issue raised during the consultation process was the somewhat increased costs of providing adaptable housing features in non-market housing developments. As stated above, non-market housing providers expressed concerns about any increased costs⁷ – however small – in their already constrained financial environment. The remedy suggested by the B.C. Non-Profit Housing Association (BCNPHA) was to allow non-market housing providers to apply to the City of Burnaby Housing Fund⁸ for off-set costs.

Upon consideration and review of this suggestion, it is the opinion of staff that this particular remedy is not advisable as it would involve a considerable effort in application and would pre-determine the expenditures of Housing Funds without first giving consideration to the overall merits of any specific proposal for use of the Fund. However, it is noted that non-market housing projects are in general eligible to apply for an allocation of this funding, and can bring forward any specific project for consideration.

However, staff are aware of the constrained financial environment for non-market housing and thus propose that:

- the proposed Floor Area Exemption of 1.85 square metres (approximately 20 square feet) per adaptable unit, described above, also be extended to non-market housing and seniors-oriented developments.

This exemption provides mitigation, as in market developments, for the additional floor-space required for adaptable housing, while also providing some indirect compensation for the costs of adaptable housing features. Depending on the size of the development, the Floor Area Exemption could also contribute towards inclusion of an additional unit(s), thus increasing – however incrementally – the number of residents housed in that development.

⁶ Defined as per the BC Building Code.

⁷ The Provincial Office of Housing and Construction Standards advises that, internationally, the costs of building to adaptable housing standards varies from between 0.5% to 3.0% of total construction costs. This percentage range includes costs associated with installing adaptable features in single-family homes, townhouses, and single-level units in buildings which utilize common corridors or exterior passageways for suite access. Associated costs are, on average, the lowest for this later building type, estimated to be between 0.5% and 1.0%.

⁸ The City of Burnaby Housing Fund is supported by cash-in-lieu contributions resulting from the density bonus provisions in the Zoning Bylaw. The Community Benefit Bonus policy requires that 20% of cash-in-lieu contributions be allocated to the Housing Fund. The Council adopted policy for the Housing Fund states that funds can be used for either City initiated or community sponsored non-market housing projects and that they can be used for any component of a project's development costs.

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Staff would also note that, as the adaptable housing policy is applied through the CD rezoning process, specific consideration of the affect of the policy on non-market housing projects could be given, particularly in reference to the other 'social' contributions that non-market housing makes in the community. Subject to the specific constraints of any non-market housing project, the requirement for provision of adaptable units could be varied through the CD rezoning process.

5.0 REVISED DRAFT ADAPTABLE HOUSING POLICY

Based on the results of the public consultation process, as outlined above, as well as subsequent staff research and analysis, the proposed approach to adaptable housing has been further revised, and can be summarized as follows:

The City of Burnaby requires developments in all areas of Burnaby, subject to the Comprehensive Development (CD) rezoning process, to supply 20% of single-level units as adaptable in new market and non-market, multi-family developments which employ interior corridors or exterior passageways to access the dwelling units.

The City of Burnaby requires purpose-built, seniors-oriented developments in all areas of Burnaby, through the rezoning process, to supply 100% of single-level units as adaptable in new market and non-market, multi-family developments which employ interior corridors or exterior passageways to access the dwelling units.

A 1.85 square metres (approximately 20 square feet) Floor Area Exemption is available, under the Burnaby Zoning Bylaw, for every adaptable housing unit provided in both market and non-market housing developments, including seniors-oriented housing.

As before, the standards of adaptable design referenced in this proposed approach are derived from the 2009 December 31 BC Building Code amendments, which are now contained within the 2012 BC Building Code. It is not intended that the policy apply to retrofits or renovations but to new construction only.

In addition, it is not intended that any additional accessible parking be required for the extra adaptable units provided under this policy. This is consistent with the new Provincial standards, which do not include any corresponding revisions to the ratio of accessible parking spaces required. Nor are requirements regarding the placement of adaptable units within a building currently being proposed. This is to maintain flexibility in internal building design in order to maximize consumer choice. Future changes to the B.C. Building Code in this and other related aspects would necessarily apply in the future.

As mentioned above, in order to implement the proposed Floor Space Exemption 'Adaptable Housing' would be defined in the Zoning Bylaw, as per the BC Building Code, and the off-set

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included in the appropriate section(s). The necessary amendments to the Zoning Bylaw to implement the foregoing policy would be brought forward to Committee and Council as part of a further report. Application of the policy would be applied forward from adoption and incorporation of the off-set into the Burnaby Zoning Bylaw. The revised policy is not intended to be applied to 'in stream' development applications.

For the Committee's and Council's further information, the relationship between the approach and elements of the existing policy, the draft policy consulted on, and the proposed revised policy, is summarized in Appendix 3, *attached*.

6.0 Tracking of Adaptable Housing Units

While not specifically articulated within the consultation feedback, staff have become aware that, in order to maximize the social utility of increased adaptable housing provision, a tracking system of applicable units is required. A tracking system containing the number and location of adaptable units would assist Burnaby residents, real estate agents, and other interested parties to ensure that persons who would benefit most from these features are able to potentially locate units for purchase or rent.

This view on tracking units is shared by other local governments with adaptable housing policies in place. In response, a proposed 'Registry of Accessible and Adaptable Homes in British Columbia' is currently being considered by the Real Estate Foundation of B.C. and B.C. Housing. A research report on the proposed registry was commissioned by the two organizations, and delivered in 2013 January. This report states that the proposed registry would maintain records of available adaptable housing units in both market and non-market housing developments across the province, and would work to link those in search of adaptable housing with the applicable strata or housing provider. The privacy and safety of the current occupants of adaptable units would be maintained, with only generic building-related information being widely made available in the public domain.

An initial meeting regarding possible development and implementation of a registry was hosted by the Real Estate Foundation of B.C. on 2013 June 24. A wide range of organizations including the Rental Housing Council, the B.C. Non-Profit Housing Association, and the Social Planning Research Council of B.C. were invited to participate in the discussion along with representatives from local governments. Staff attended this discussion, and will continue to monitor the registry's progress and inform the Committee and Council, as appropriate.

To complement this external resource, should the Committee and Council approve the revised Adaptable Housing Policy, staff will also develop an appropriate internal tracking system. The data on buildings containing adaptable units would be retained and made available to the public by request from the Planning Department, and on Burnaby Map, as appropriate.

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7.0 SUMMARY AND CONCLUSIONS

This report presents a revised Adaptable Housing Policy for Committee and Council consideration and adoption. The revised policy proposes to require developments in all areas of Burnaby, through the CD rezoning process, to supply:

- 20% of single-level units as adaptable in new market and non-market, multi-family developments which employ interior corridors or exterior passageways to access the dwelling units;
- 100% of single-level units as adaptable in new market and non-market purpose-built, seniors-oriented multi-family developments which employ interior corridors or exterior passageways to access the dwelling units; and
- A 1.85 square metres (approximately 20 square feet) Floor Area Exemption is available for every adaptable housing unit provided in both market and non-market housing developments, including seniors-oriented housing.

Implementation of the Floor Area Exemption associated with the proposed policy would be provided for through an amendment to the Burnaby Zoning Bylaw, by defining 'Adaptable Housing' (as per the BC Building Code), and the off-set included in the appropriate section(s). The necessary amendments to the Zoning Bylaw would be sought through a future report. Application of the policy would be applied forward from the adoption and incorporation of the off-set into the Zoning Bylaw. As well, an appropriate internal tracking system would be developed by staff, based on an adopted Adaptable Housing Policy.

It is recommended that Council to adopt the proposed revised Adaptable Housing Policy, as summarized in *Section 5.0* of this report. In addition, it is recommended that Council forward a copy of this report to the Social Issues Committee for information.

Lou Pelletier, Director
PLANNING AND BUILDING

RM: sa
Attachments(3)

cc: City Manager
Deputy City Managers
Director Engineering
Chief Building Inspector
Assistant Director Current Planning
Acting City Clerk

Invitees to Consultation on Adaptable Housing Policy

Development/Building Groups

Urban Development Institute
Concord Pacific
Intracorp
Ledingham McAllister
Shape Properties
Polygon
Mosaic Homes
Boffo Development
Millennium Development
Architectural Institute of British Columbia
Association of Professional Engineers and Geoscientists of British Columbia
Greater Vancouver Home Builders' Association
Bosa Properties
Blue Sky Properties
Bosa Development Corporation
Appia Development
Embassy Development Corporation
Thind Properties Ltd.
Elegant Developments
Hungerford Properties
Adera Developments
Amacon
Anthem Properties
Onni Group

Non-Profit Housing Providers

BC Non-Profit Housing Association
BC Housing
Metro Vancouver House Corporation
Seniors Services Society
Vancouver Resource Society
New Chelsea Society
Progressive Housing Society

Disability Groups

Burnaby Planning and Building Department Access Advisory Committee (*in person*)
Burnaby Association for Community Inclusion
Community Living Society
PosAbilities Association

Seniors Groups

Burnaby Seniors Outreach Society
Voices of Burnaby Seniors

Appendix 2

Approaches to Adaptable Housing in the Lower Mainland and South Vancouver Island

| <i>Local Government</i> | <i>Voluntary or Mandatory</i> | <i>Year Implemented</i> | <i>Applies to</i> | <i>Requested Provision</i> |
|--------------------------------|-------------------------------|-------------------------|---|--|
| City of Abbotsford | Voluntary | 2005 | Developments close to hubs of services and transportation with more than 40 units | 5% of single-level units |
| City of Chilliwack | Mandatory | 2012 | All multi-family developments | 50% of single-level units |
| City of Coquitlam | Voluntary | 2008 | Determined on a case-by-case basis | Determined on a case-by-case basis |
| Township of Langley | Mandatory | 2010 | Developments within the Yorkson Neighbourhood Plan area | 5% of all single-family and townhouse units and 10% of all single-level apartment units |
| City of New Westminster | Mandatory | 2011 | All multi-family developments | 40% of single-level units within applicable developments <i>Floor Area Ratio Bonus of 20 square feet per 1-bedroom Adaptable Unit / Floor Area Ratio Bonus of 30 square feet per 2-bedroom Adaptable Unit</i> |

| Local Government | Voluntary or Mandatory | Year Implemented | Applies to | Requested Provision |
|------------------------------------|---|-------------------------|---|--|
| City of North Vancouver | Mandatory Has three levels of adaptability defined | 1999 updated in 2003 | All multi-family developments | 100% of single-level units must comply with 'Level 1' adaptability and 20% of applicable units with 'Level 2' adaptability. Provision of 'Level 3' units is voluntary. <i>Floor Area Ratio Bonus of 20 square feet per 'Level 2' Adaptable Unit / Floor Area Ratio Bonus of 45 square feet per 'Level 3' Adaptable Unit</i> |
| District of North Vancouver | Voluntary Has three levels of adaptability defined | 2003 | Single family, townhouses and multi-family buildings | Determined on a case-by-case basis |
| City of Pitt Meadows | Mandatory | 2011 | All multi-family developments | 100% of single-level units |
| City of Port Coquitlam | Mandatory | 2012 | All multi-family developments with 10 or more units | 30% of single-level units <i>Floor Area Ratio Bonus of 21.5 square feet per Adaptable Unit</i> |
| District of Saanich | Mandatory for multi-family Voluntary for other housing types | 2004 | Mandatory applies to all multi-family developments. Exception for units under 452 square feet | 100% of single-level units <i>Floor Area Ratio Bonus of 16 square feet per Adaptable Unit</i> |

| <i>Local Government</i> | <i>Voluntary or Mandatory</i> | <i>Year Implemented</i> | <i>Applies to</i> | <i>Requested Provision</i> |
|--------------------------------------|-------------------------------|-------------------------|---|--|
| Town of Sidney | Mandatory | 1994 | All multi-family developments | 20% of single-level units |
| City of Richmond | Voluntary | 2007 Updated 2011 | All multi-family developments | Determined on a case-by-case basis <i>Floor Area Ratio Bonus of 20 square feet per Adaptable Unit</i> |
| City of Vancouver¹ | Mandatory | 2002/3 Updated 2013. | All newly built housing in including houses, townhouses, duplexes, laneway homes, and apartments. | 100% |

¹ Contained in the City of Vancouver’s Building By-law. Due to the separate nature of this document from the BC Building Code, these units are designed to be ‘visitable’ for persons with mobility access needs rather than strictly adaptable as per Code requirements. City of Vancouver requirements include an intercom system, colour contrast or patterns for public access ramps, no door handles or facets which require a firm grip, easily opened doors, accessible paths of travel from unit to entrance and parking, an accessible washroom on the main floor and wall reinforcements for grab bars (etc.). Elements related to the provision of ‘visitable’ housing contained in the city of Vancouver’s Building By-law were recently reviewed (2013 April). Additional requirements may be pending the results of this review.

Relationship Summary

Existing Policy, Draft Policy Consulted On, and Proposed Revised Policy

| Current Policy | Draft Policy for Consultation | Proposed Revised Policy | Policy Considerations |
|-----------------------|---|---|---|
| Voluntary | Mandatory, as part of CD rezoning process. | Mandatory, <i>with</i> - a 1.86 m ² (20 feet ²) Floor Area Exemption available for every adaptable housing unit provided in both market and non-market housing developments, including seniors-oriented housing. | <ul style="list-style-type: none"> Increases supply to keep pace with changing demographics Identifies clear expectations for developers and City staff Increases housing choice for Burnaby residents |
| Town Centres Only | Inclusive (all areas of Burnaby) | Inclusive (all areas of Burnaby) | <ul style="list-style-type: none"> Provides increased consumer choice Maintains neighbourhood demographics Provides administrative efficiencies |
| 5% Requested | 20% Required Seniors-oriented housing (100% provision) | 20% Required Seniors-oriented housing (100% provision) | <ul style="list-style-type: none"> Balances provision of this type of housing with the costs associated Maintaining percentage-based provision allows greater flexibility in internal building design and unit placement Exception for seniors-oriented housing (mandatory 100% provision) is purpose-driven to maximize ability to age-in-place |
| Market | Market and Non-Market | Market and Non-Market. | <ul style="list-style-type: none"> Provides for adaptable units in BC Housing-funded or –financed projects, as applicable Provides increased housing choice for Burnaby residents |