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Jun'ichi Jensen  
Director, Codes and Standards  
Building and Safety Standards Branch

## **2023 BC Building Code Impacts of the Proposed Adaptability Requirements**

Dear Mr. Jensen:

### **Impacts to New Construction**

UDI members have been expressing significant concern with the proposed requirements for 100% adaptability in all new part 3 buildings apartment buildings. The proposals require the development community, new homebuyers and tenants to overcome a systemic issue in the existing building stock. UDI and the industry have always supported the principle that new projects pay their fair share of growth-related costs. However, asking for every unit to be adaptable, without offsets and mitigation measures, is well beyond a growth-related cost.

Further, solely focusing on new construction to generate accessible housing will not alleviate cost pressures as these new units will be larger (see below) and subject to market rates which are already high. In a province already struggling with affordability, introducing options that are only available to the upper-end of the housing market will not achieve widespread access and may be beyond the reach of many individuals requiring accessible housing.

If the proposals are adopted without effective mitigation measures and offsets, bathroom, bedrooms and hallway sizes will be substantially increased relative to other living spaces in homes – especially in smaller units. Liveability and marketability will be compromised – unless overall unit sizes increase – reducing the total number of dwelling units per project, which will undermine affordability.

### **Changes to Unit Sizes and Layouts**

Our members have shared with us a few examples from real projects that illustrate these major issues. The plans that correspond with the points below are attached to this email.

**Example 1:** A new housing application containing 850+ family-friendly rental homes, including 5% at below-market rates, located next to a rapid transit station would need to increase the size of the homes in order to meet the requirements. This would result in a loss of more than 120 homes, or about 15% of the project, and is significant enough that it would render the project unviable.

**Example 2:** In another example, the bathrooms become very large, and suite entries increase in size, making it difficult to fit entryway closets, or resulting in lost space in kitchens. The bedrooms become 12' wide excluding the closets. There would also be impacts to bathroom sizes to accommodate the changes. If unit sizes remain the same, this would result in a decrease in the size of the kitchens and living rooms. Projects currently in-stream, will need to restart unit planning and elevations to accommodate layout changes.

### **Mitigation Measures**

We strongly encourage the Province to delay the implementation of the proposal to make 100% of new part 3 buildings adaptable and look at mitigation measures, offsets or alternatives to this proposal. These include:

- Having stronger in-stream protection for projects currently in the development review process, in particular ones with pre-sales to avoid substantive changes having to be made to designs. As we noted in our July 6<sup>th</sup> letter, our members are concerned that pre-sale purchasers will not accept significant changes to their unit layouts, which could jeopardize projects.
- In some municipalities, density offsets are offered to accommodate accessibility requirements, which helps to mitigate the loss of units due to increases in square footage. This needs to be implemented for any adaptable unit under the proposed policy at the Provincial level through a standardized FAR exemption. It is imperative that this established at the Provincial level to avoid downloading the responsibility onto municipalities, who are facing their own capacity challenges while trying to speed up approvals timelines. Further, setback and height requirements will likely have to be adjusted to accommodate the increased allowable density. Without these adjustments, density offsets will be ineffective.
- If the Province is considering FAR exemptions for the requirements based on those already employed by some municipalities, the scale of the requirements would need to be accounted for. Current exemptions are meant to offset much smaller requirements – for example up to 20% adaptability – meaning the exemption criteria for a 100% adaptability requirement would need to be much greater to provide the same level of offset.
- Many municipalities do not currently have adaptability requirements for new residential construction, so moving from a 0% requirement to 100% requirement will be a dramatic shift. The Province could consider announcing the direction to achieve 100% adaptability in the future by phasing in more incremental

percentage requirements over the next few years. This will allow municipalities and builders to adjust to the provisions and prepare for full adaptability through staged increases.

- The Province should also consider adopting the City of Vancouver’s approach to adaptable bathrooms, which allow for full accessibility but are much smaller – as described in Example 3 below.

**Example 3:** In a comparison between the Vancouver Building By-law (VBBL) requirements and the proposed BCBC 2023 requirements, the following impacts would occur:

- In a typical washroom adhering to the VBBL adaptability requirements, the square footage (sf) would increase between 2 – 4sf. Under the proposed 2023 BCBC requirements the square footage would increase by approximately 8sf. Considering the additional requirement for clear areas outside the washroom required in the 2023 BCBC proposals, but not the VBBL, this would total an increase of 15sf.
- If the 2023 BCBC adopts 100% adaptability requirements under the current proposal, the impact of the overall density of a project is considerable at 15-25sf per unit, further impacting the affordability of the units and the number of new homes delivered.

The adaptability proposals (as well as the seismic ones) are so substantial that there would need to be robust education and guidance for implementation of these changes, which will require time.

We hope to continue these discussions with the Ministry of Housing and Building and Safety Standards Branch prior to the finalization of the proposals, as there are multiple considerations that still need to be discussed to ensure new adaptability requirements in the 2023 BCBC do not impact the ability to deliver new housing in the province.

Yours sincerely,



Anne McMullin  
President & CEO, Urban Development Institute