

COUNCIL MEMBERS' MOTION

9. Cutting Red Tape: Making Homes Accessible

Submitted by: Councillor Dominato

WHEREAS

1. The Preamble to the *Accessible Canada Act* (S.C. 2019, c. 10) makes note of the *Canadian Human Rights Act* and states that “all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated without discrimination and, in particular, discrimination on the basis of disability.”;
2. The Preamble of the *Accessible Canada Act* (S.C. 2019, c. 10) also states that “a proactive and systemic approach for identifying, removing and preventing barriers to accessibility without delay complements the rights of persons with disabilities under the *Canadian Human Rights Act*.”;
3. The Provincial Government has a vision to make B.C. a truly inclusive province for all persons with disabilities by removing the barriers that prevent equal and meaningful participation in society. British Columbia also supports the principles outlined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and is strongly committed to advancing and safeguarding those principles within the province;
4. On June 17, 2021, the B.C. Legislature passed the *Accessible British Columbia Act* into law. The Act allows the provincial government to establish “accessibility standards” aimed at identifying, removing, and preventing barriers to accessibility and inclusion, including the establishment of accessibility standards in a range of sectors, including delivery of services and the built environment;
5. The City of Vancouver has taken steps over the course of many years toward the goal of becoming a fully accessible city, one that values all members of its diverse communities and strives to meet the needs of everyone, regardless of ability;
6. The City of Vancouver is developing an *Accessibility Strategy* with the intent to reflect and reinforce the City’s commitment to accessibility. For example by:
 - a. Respecting the rights, dignity, and independence of persons with disabilities over the life course;
 - b. Fostering a safe environment where all people feel valued, included, and a sense of belonging;
 - c. Creating opportunities for persons with disabilities to be involved in decision-making and to participate fully in all aspects of city life;
 - d. Demonstrating how the knowledge and perspectives of persons with disabilities are integrated across all City processes, policies, and decision-making;
 - e. Listening to and addressing the needs of persons with disabilities in City programs, services, and physical infrastructure;

7. Over 5% of Vancouver residents have some form of physical disability or mobility restriction. This includes people using wheelchairs, walkers, and canes. When you add their accompanying family and friends, approximately 50% of Vancouver residents are affected by poor access to buildings; ⁱ
8. Building for accessibility is an important element of an inclusive city. The City of Vancouver has therefore established accessibility standards for new construction, including the importance of ramps and door handles;
9. Although accessibility is a foremost consideration in new construction, the city also has a substantial stock of older buildings, including older housing stock, many of which require significant and costly retrofits in order to be fully and appropriately accessible. For example, retrofitting bathrooms that can accommodate specific disabilities;
10. Retrofitting older housing stock to make it accessible typically requires a permit or permits from the City, which – given the City’s ongoing permit backlog situation – often means lengthy wait-times, delays, and frustration for those seeking permits to retrofit housing for accessibility needs;
11. In order to clear the City’s permit and license backlog, the City is taking action to speed up its response and processing times. These actions include speeding up response and processing times by temporarily relaxing the City’s permit application regulations and review process and cutting steps from the City’s processes. The intended goal is to process permits faster, significantly reduce staff review times, and provide more predictable results for applicants. The work of the City Manager’s task force is currently underway to identify the steps involved in this initiative and the phased, multi-month process that has been implemented; ⁱⁱ
12. Lengthy permit delays and backlogs are not the only policy and process problem faced by persons with disabilities and their families and caregivers. Accommodating and giving appropriate consideration to renovations and alterations that require a deviation from current zoning by-laws is also needed in order to satisfactorily achieve the City’s stated policy goals and objectives with respect to accessibility; and
13. The City does not currently have specific policies, procedures, or protocols to prioritize, and/or significantly accommodate, permit applications for those seeking to retrofit and/or modify older housing stock to accommodate a range of accessibility needs and ensure a dignified and equal quality of life for persons with disabilities. This includes accessibility policies and procedures for renovations that may require a deviation from current zoning by-laws.

THEREFORE BE IT RESOLVED THAT Council direct staff to develop policy and procedures to appropriately prioritize permit applications for accessibility retrofits, in consultation with the City’s Persons with Disabilities Advisory Committee and other relevant stakeholders and partners, such that a dignified and equal quality of life can be ensured for persons with disabilities in our community;

FURTHER THAT Council direct staff to report back in Q4 2022 with draft policy and procedures to achieve the accessibility objectives noted above, including (but not restricted to) investigating options for:

- i. Assigning staff who are familiar with accessible design matters in relevant City departments who are able to address the specific daily needs and experiences of persons with disabilities (including the related accessibility needs of their friends, families, caregivers, etc.);
- ii. Establishing a clear and publicly posted path for persons with disabilities to follow in order to facilitate communication with the City's planning and building department staff;
- iii. Establishing clear criteria for the City staff responsible for processing and issuing permits to follow that is fair and transparent in terms of how permit applications related to accessibility needs are to be prioritized, including publicly posted information that specifically measures and reports on the average permit processing times for permits specific to accessibility needs;
- iv. Accommodating and giving appropriate consideration to proposed renovations and alterations that require deviation from the City's existing zoning by-laws in order to achieve accessibility;
- v. Identifying and addressing any inconsistencies between the City's stated commitment to accessibility, and the rights of persons with disabilities to equitable treatment, and how this commitment manifests in daily practice and practical experience;

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i For reference see: <https://vancouver.ca/people-programs/building-for-accessibility.aspx>

ii At the February 10, 2021, meeting of the Standing Committee on Policy and Strategic Priorities, Council unanimously directed staff "... to post easy to access information on the City's website that would show current projected wait times for various building permit types in as close to real-time as possible...." ("Daylighting Building Permit Wait Times – Member's Motion B.4 – Vote No. 06962). On October 27, 2021, a memo from staff to Council provided an update on Member's Motion 8.4 (Daylighting Building Permit Wait Times) noted above. The memo stated that achieving the desired objective of the motion was one of staff's "long term goals" and that, "In the near to medium term, we are focused on making the information we do have more accessible and useful for planning purposes." <https://vancouver.ca/files/cov/10-27-2021-council-memo-permit-wait-times.pdf>